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Memorial Day Annual

1912

THE CAUSES AND OUTBREAK OF THE WAR BETWEEN THE STATES

1861—1865

For use as a source book of contemporary authorities. Published by the Department of Public Instruction of Virginia at the request of the Confederate Memorial Literary Society

RICHMOND, VA.
1912

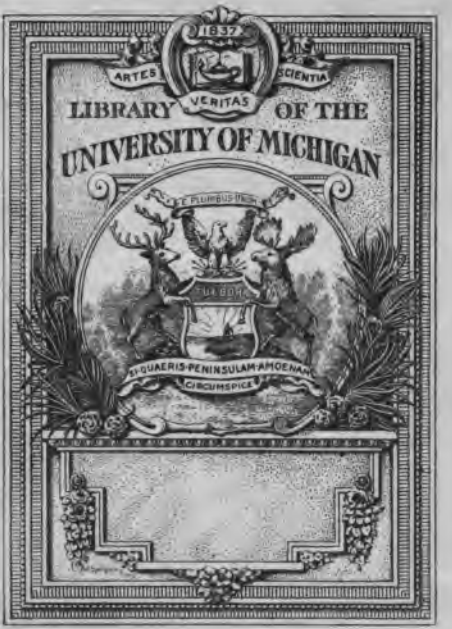

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Table of Contents.

	Page
Letter to the Public School Teachers of Virginia—Jos. D. Eggleston, Jr., Supt. Public Instruction	7
Dixie Land	9
The Right of Secession—H. J. Eckenrode, State Archivist	10
"What Constitutes a State?"—Sir William Jones	20
The Maintenance of the Doctrine of Secession—H. R. McIlwaine, State Librarian	21
The Government of Virginia in 1861—Douglas S. Freeman, Ph. D	27
Slavery in Virginia in 1861—Douglas S. Freeman, Ph. D	31
Virginia—Song with music	33
The John Brown Raid—Douglas S. Freeman, Ph. D	36
The Position of Virginia in 1861—Hon. Edwin P. Cox	44
Old Black Joe—Poem	66
Fort Sumter—Hon. George L. Christian	67
The Act of Secession—Mrs. Kate Pleasants Minor, Reference Librarian, Virginia State Library	74
The Sword of Lee—Father Ryan	84
Recognition of Virginia's Position by her Former Foes—Professor D. R. Anderson	85
Origin and Meaning of Memorial Day—Mrs. Kate Pleasants Minor, Reference Librarian, Virginia State Library	87
The Bonnie Blue Flag—Song	89
Suggested Programme for Schools—J. H. Binford, Secretary Co-operative Education Ass'n of Virginia	91
Extract from "The Old Virginia Gentleman"—Geo. W. Bagby	94

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To the Public School Teachers of Virginia:

The object of this publication is to place in the hands of the teachers of Virginia a synopsis of the conditions existing in the State at the beginning of the war. It is intended to answer fully and finally the question, Why did Virginia secede? As the answer to this question, to a certain extent, determines the right of Virginians to a place among patriots, no child should be allowed to grow up without a clear understanding of the issues involved.

The quotations include some statements so simple that a little child may understand them, but the Annual is not intended primarily for the children. It is hoped that the teachers will find in it material to use in inculcating love of home and country, and will adapt the contents to the grade each teacher is called upon to instruct. The absence of any adequate text-book has made this effort seem worth while, and the Annual is the result of the combined wisdom of Confederate veterans, professors of history, and students of political science.

JOS. D. EGGLESTON, JR.,
Superintendent of Public Instruction

Dixie Land.

1.

I wish I was in de land ob cotton,
Old times dar am not forgotten,
Look away! look away! look away! Dixie Land.
In Dixie Land whar I was born in—
Early on one frosty mornin',
Look away! look away! look away! Dixie Land.

CHORUS:

Den I wish I was in Dixie,
Hooray! hooray!
In Dixie Land I'll take my stand
To lib and die in Dixie,
Away, away,
Away down south in Dixie;
Away, away,
Away down south in Dixie.

2.

Dar's buck-wheat cakes an' Injun batter,
Makes you fat or a little fatter,
Look away! look away! look away! Dixie Land.
Den hoe it down and scratch your grabble,
To Dixie Land I'm bound to trabble,
Look away! look away! look away! Dixie Land.

CHORUS.

THE RIGHT OF SECESSION.

H. J. ECKENRODE

WHAT was the legal right, the principle appealed to by the South in seceding from the Union? More, what was the moral right, appealed to or not appealed to? Secession was a grave step and one which all knew would probably lead to war. What then was the justification for this measure?

Secession is now so far from being anything but a historical memory that it is difficult in this age to reconstruct in mind the time when it was a right as much believed in as any other political right. The modern compact American nation never dreams of a separation of its parts, but before the process of consolidation millions of Americans entertained belief in secession as a political principle[1] and attempted to carry it into practice. The reasonableness of their position cannot be understood without bearing in mind the constitutional views they appealed to in seceding and the circumstances that led them to secede; for human nature rather tends to judge of the morality of an action by success or failure, and since the Secession War, writers have not been wanting to show that the South was as wrong in theory as it was unfortunate in the event.

The Southern arguments have been presented in detail by such logicians as Jefferson Davis and Alexander H. Stephens in the years following the war, and, more recently, but with no great addition of strength by other writers. The case made out by the two Southern leaders is, on its face, very strong and a brief summary of their arguments loses much of the effect they are able to produce.

In the first place it should be noted that secession was not regarded by Southerners as revolution but as a legal remedy sanctioned by the constitution in the case of the oppression of a

[1]Thus the Virginia Convention of 1788, in adopting the Constitution of the United States for and in the name of the people of Virginia, declared "that the powers granted under the Constitution being derived from the People of the United States may be resumed by them whensoever the same shall be perverted to their injury or oppression . . . . . ." *Doc. History Constitution*, v. 2, p. 145.

State or of States within the Union. In the orthodox presentation of the case, the right of secession is primarily based on the tenth amendment to the Constitution of the United States, which declares that those powers of sovereignty not expressly made over to the Federal Government in the Constitution remain with the States. Such language naturally favors the theory of the Union as a compact of States and presents the State itself as an entity with reserved powers beyond the Federal sphere. From this limitation of the Federal authority, this careful protection of State prerogative, it is no great step to the right of secession, for the conception of the State as sovereign in most things and absolutely without power as regards its connection with other States does not particularly commend itself to the logical sense.

But aside from the actual wording of the Constitution, it is well to consider the historical position of the States before its adoption as well as the opinion of the people of the United States in regard to the document. As colonies the thirteen original members of the Union had no political connection with each other except as parts of the British empire; they were as independent of each other as if they had been scattered through the four quarters of the globe. No connection existed until 1774, by which time most of the colonies had become well-organized and self-conscious political communities. Nor was this sense of individual existence altered materially by the events of the Revolution; the government of the Confederation was much less of a trammel than had been that of Great Britain, and, in 1787, when the Constitution was framed the States were a group of republics[2] bound together in a league. Later on, this pristine condition of freedom was remembered at different times by aggrieved States, and lastly and more particularly by the Southern States, which believed that they might lawfully return to the original condition when the Union no longer seemed the bulwark and protection it had been at first.

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[2]As an instance of this it is worthy of comment that Patrick Henry, in his official correspondence as Governor of Virginia, refers frequently to the Old Dominion, not as "this State," but as "this country". For a full explanation of the Southern view of the Constitution in 1830, see Hayne's reply to Webster January 30, 1830, *Congressional Debates*, 21st Congress, 1st session, VI, pt. 1, reprinted in MacDonald's *Select Documents of United States History* (N. Y., 1898), p. 250.

The Southern contention has been combated in two ways. The argument usually advanced, granting that the States had been free and independent under the old Union before the adoption of the constitution of 1787,[3] holds that they voluntarily laid down their powers when they united to form a national government, which could not be justly dissolved on any grounds or for any reasons whatever. But the admission that the States had once been independent was so damaging that the jurist Story[4] endeavored to undermine the Southern argument by boldly denying, in spite of the imposing array of contemporary opinion, that the States had ever been free and independent agents, capable of entering into or refusing to enter into a compact. Thus, the Declaration of Independence, he maintained, was not an act performed by the States through their delegates in the Continental Congress but by the people of the United Colonies acting in a sovereign capacity without regard to their local governments.[5] Likewise the constitution of 1787 was not the work of the representatives of the States but of the "people" of the United States. Story's somewhat over-legal argument is presented in historical form by the German historian, Von Holst. Since the latter writer cannot deny the lack of connection between the colonies before the Revolution and the subsequent independence of the individual States under the Articles of Confederation, he takes the ground that the Declaration of Independence was a spontaneous and unique action of the people of the confederacy, who, ordinarily content to express themselves through the medium of their distinctive governments, in this case, as in 1787, asserted themselves as a single people.

This theory is very clearly and conclusively answered by

[3]The Philadelphia Convention of 1787, called by Congress at the suggestion of Virginia and other States, was organized on May 25, 1787, and, after debating for more than three months, adopted the Constitution on September 15, 1787. The document was signed two days later.

[4]Joseph Story (1779-1845), one of the ablest of American jurists, whose *Commentaries on the Constitution of the United States* here referred to, is one of the classics of American constitutional law. His life has been written by his son, Wm. W. Story.

[5]The chief point made by Story may be stated succinctly thus: The Constitution was the act of the *United* States and not of the *States* united.

Stephens,[6] the ablest writer on the Southern side, who points out that the Declaration of Independence was adopted by a Congress of deputies appointed by the States and voting by States. "The deputies or delegates from no State assumed to vote for it until specially instructed and empowered so to do." Stephens further shows that the States were practically independent during the Revolution, when the requisitions[7] of Congress were complied with or not at pleasure. Several of them maintained regular military and naval forces in no wise under the authority of Congress, while Virginia carried on a war in the West as a purely individual enterprise.[8] The agents of Virginia in various countries represented her in a commercial capacity and bought military supplies as for a free power. The Articles of Confederation, adopted in 1781, the first American constitution, declare that "each State retains its Sovereignty, freedom and independence."[9] Furthermore, the independence of the individual States was recognized by England in the treaty of 1783,[10] which declares that "His Britannic Majesty acknowledges the said United States [naming them] to be free; sovereign and independent States; and he treats with them as such." Besides, a great mass of contemporary evidence remains to illustrate the opinion of the age as to State sovereignty.

It is evident then that the South had excellent reasons for

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[6]Stephens was born in Georgia, in 1812, and died there, in 1883. Deformed in body and unprepossessing in appearance, he was nevertheless regarded by many of his contemporaries as the ablest mind in the civil life of the Confederacy. Posterity has confirmed this judgment in large measure. His *Constitutional View of the War between the States* is the book referred to here.

[7]One of the most striking proofs of this independence was the action of the States in granting or denying, as they chose, the requisitions for funds made upon them by the Continental Congress. This neglect of Congress reached such dimensions towards the end of the war that the Continental authorities confessed themselves impotent.

[8]This was the expedition undertaken by George Rogers Clark in 1779. Clark was commissioned by, and was under the orders of, the Governor of Virginia, Patrick Henry. The funds for his expedition were furnished by the State.

[9]Article II "Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in Congress assembled." See *MacDonald, op. cit.*, p. 7.

[10]This treaty was signed at Paris, September 3, 1783, and was ratified by Congress, January 14, 1784.

believing that the States had been sovereign and competent to control their destinies prior to the adoption of the present Constitution in 1788. But this is not enough. If a consolidated government came into existence in 1789, one under which the States lost their sovereign powers, it would be difficult to justify secession on the single ground of their ancient freedom. Were the States still free agents in any sense as against the Federal Government after that year?

The interpretation of the Constitution of 1787 has thus been the great battle-ground of the secession controversy. Without going deeply into the question of interpretation—a matter varying with each age—a few facts may be noted in connection with it that throw light on the States Rights position. In the constitutional convention an effort was made to form a consolidated, a truly national government, but the plan met with defeat, owing to the attitude of the small States, which refused to surrender their sovereignty. The Constitution as adopted was a modification and strengthening of the Articles of Confederation, many features of which remained little changed. States Rights were carefully preserved in the institution of the Senate with equal representation for all the States without regard to population. Various functions of the Constitution, as Mr. Stephens has pointed out, are performed by the States; many prohibitions are made to States. Senators are elected by the legislatures of States; members of the House of Representatives are to be chosen according to the electoral qualifications imposed by the States; Congress is given power to regulate commerce among the States; no preference shall be given the ports of any State over those of others; no State can enter into treaties; no State, without the consent of Congress, shall lay imposts. Such frequently recurring references to the sphere of State action carry their own refutation of the theory that the few rhetorical words that preface the Constitution, "We the people of the United States," by their own authority destroy State sovereignty and create a consolidation of the American Union.

The first great political contest of the United States under the Constitution arose largely on the question of interpretation. The party which had advocated a strongly national constitution in the convention of 1787 and which accepted the Federal Constitution as the most that could be obtained under the circum-

stances came into power with Washington and attempted to construe the Constitution as a consolidation. The opposition, the Democratic-Republicans, maintained that the government was a compact[11] of States still essentially free. Prominent among the founders and leaders of this party, was Madison, who was the chief author of the Constitution and who is sometimes quoted by nationalist writers as holding the consolidation theory. The issue between the Democrats and Federalists came to a head in 1798 with the Alien and Sedition Acts, which elicited the Kentucky and Virginia Resolutions claiming for the individual States the right of negativing acts of Congress which they might deem unjust and oppressive. On this platform, the Democratic party won an overwhelming victory in 1800, remaining in power, with the exception of two short intervals, until the Civil War. The people of the United States, called to judge between the rival theories of consolidation and State sovereignty, thus emphatically declared for the latter. This point, although seldom dwelt upon, is of importance, for in a democratic republic the people may be regarded as having a certain power of interpreting their government, at least while it is new and before it has established definite principles.

By the irony of history, which leads men to such strange and contradictory positions at different times, the predominance of the Democratic party brought about the assertion of the right of secession in the first instance by New England, the section with the greatest grievance in the beginning. The Connecticut Courant, a leading newspaper, thus spoke in 1796: "The Northern States can subsist as a nation, as a republic, without any connection with the Southern." In 1804 John Quincy Adams[12] claimed that he knew of a New England scheme for the dissolution of the Union. In 1814 the celebrated Hartford Convention[13] threatened secession, declaring that separa-

[11]It is interesting to note that this question was raised in the first Congress under the Constitution and had, by 1798, become a definite issue between the parties. See reference to the Virginia and Kentucky Resolutions below.

[12]John Quincy Adams (1767-1848), sixth President of the United States, refers to this alleged "plot" in his *Memoirs*, v. 8, p. 115, 118 ff. It received slight attention at the time.

[13]The Hartford Convention grew out of the discontent felt by New England at the inevitable losses incurred during the war of 1812. By a vote of October 18, 1814, the Massachusetts Legislature named twelve delegates to a Con-

tion "should if possible, be the work of peaceable times and deliberate consent . . . But the severance of the Union by one or more States against the will of the rest, and especially in time of war, can only be justified by absolute necessity." This report was adopted by the legislatures of Massachusetts and Connecticut, showing that a quarter of a century after the framing of the constitution New England States asserted the right of secession. Even so late as 1845 the Massachusetts legislature, in another declaration, emphatically endorsed State sovereignty, claiming for a State the right of nullifying acts of Congress.

It is unnecessary to quote further examples to show that the Constitution of 1787, so far from converting the Confederation into a consolidated nation, was regarded many years after its adoption and in the region where the theory of nationalism was to have its greatest vogue as a compact severable by the States upon the plea of necessity. Authoritative opinion, both in the North and South, from 1798 to 1845, approved the theoretical rights of nullification and secession, and consequently the Southern States had strong legal and historical reasoning to urge in 1861. State sovereignty had been one of the commonplaces of the political creed of at least a majority of Americans for a continuous period of more than half a century.

As a matter of fact the doctrine of States Rights was in the ascendant until nearly the middle of the century, when the Story school arose in the land to combat it. This theory teaches, in brief, that the Constitution created a national Union, no matter what were the intentions or beliefs of the founders or contemporary opinion, an ingenious method of setting history aside to make way for present convenience. An echo of this is found in Charles Francis Adams' exceedingly able article on secession, in which he speaks of the makers of the Constitution as having

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vention of States called to find a remedy for their grievances. Rhode Island and Connecticut also appointed delegates, who, with those from Massachusetts and others chosen by local conventions in Vermont and New Hampshire, met at Hartford, Connecticut, December 15, 1814. They adjourned on January 5, 1815, at which time they gave out the report to which reference is made. The full text of the report may be found in Dwight's *History of the Hartford Convention* (ed. 1833), p. 352 ff. The passage quoted here is on page 355. Northern writers—for instance, *MacDonald, op. cit.*,—generally omit that part of the report which refers to secession.

perpetrated a "pious fraud" on the people, giving them a different government from the one believed to be given. But what becomes of constitutional liberty on this theory? Apparently the people of the United States were in the position of the old man in the melodrama, who signs away his property rights without knowing it and has the document produced before him at the end of the second act to his dumbfounding.

In recent years, however, writers have more and more inclined to admit the strength of the Southern claim upon grounds of strict legality, and base their denial of the right of secession upon political development, setting aside constitutional argument and transferring the controversy from a legal to a moral basis. They admit that secession may have been valid at one time and that its validity may have continued after the adoption of the Constitution, but that the development of "nationalism" made it a thing of the past, a political anachronism, a principle not rightly available so late as 1861. In their view, although the States may have existed as a Confederation for a certain time after 1789, they gradually, by degrees, through the continued working of the Constitution, consolidated into a nation.[14] Thus secession was possibly justifiable in 1800 or 1815 but not in 1861.

It is just this argument of "progressive nationalism," considered in all its bearings, that most strongly supports the right of secession. Without doubt the States had tended towards nationalization for many years preceding the Civil War, but at the same time not towards a national idea common to all of them. This latter very apparent fact has been explained on the theory that nationalism developed solely in the Northern States, while the Southern States, oblivious to the development, recognized only the old idea of State sovereignty. But action is equal to reaction in politics as well as in chemistry, and amidst the fierce political struggles of the middle century the South began instinctively to respond to the feeling of nationalism as well as the North. The Union was crystallizing not into a single but a dual nationality.

From the beginning of the Confederation two groups of States,

[14]Such in substance was the view of Daniel Webster. See his reply to Hayne, January 26-27, 1830. *Congressional Debates*, 21st Congress, 1st session, VI. pt. 1.

the Northern and Southern, had stood out in marked contrast, and as the nineteenth century grew the difference grew, not lessened. The North developed into a modern industrial country, with the social constitution of industrialism; the South remained a colonial agricultural community, with its strongly conservative institutions and society. As the two communities, combined in the same confederacy under the same flag, became more unlike, they tended to grow more homogeneous around their own centers. In the beginning Virginia and Pennsylvania had been closer than Virginia and North Carolina; in 1861 Virginia and Pennsylvania were poles apart, while Virginia and North Carolina were in perfect accord. In 1830 South Carolina, the center of Southern nationalism, stood alone in her contest with the Federal Government;[15] in 1860 she had the South behind her. In this interval the principle of "nationalism" had come into full play, dividing the American Union into two countries with few things in common. At the beginning of the Civil War the United States was neither a confederacy nor a nation but a dual republic, in fact, politically organized as a number of separate States under one general government. This essential duality of the Union was apparent to Calhoun, who, in his effort to remedy what he felt was a false position without recourse to disunion, advocated the creation of a double executive, with one president for the North and another for the South. The antagonism of the two communities centered largely around slavery, which had been indeed a potent factor in widening the divergence. The South as the weaker and more conservative country was naturally on the defensive in the struggle preceding the Civil War; the North, as the larger and modern community, tended towards the aggressive, for the spirit of modernness is perhaps not much more tolerant of difference than that of mediævalism. The contest between North and South became serious when private warfare broke out on the border and still more serious when, without provocation, an armed attack was made on Virginia in 1859 with the sympathy of a

[15]The nullification controversy, beginning in 1828 and ending early in 1833, is treated fully in the standard text books of American history. A very accurate though brief sketch is to be found in Woodrow Wilson's *Division and Reunion*. For a more extended study see Wm. MacDonald's *Jacksonian Democracy*.

large part of the Northern public. Under these circumstances of growing irritation and threat of war in a nominal state of peace, it was evident that separation must take place or the weaker South make such concessions as would produce a *modus vivendi*. The South, being in no humor for concessions of unknown significance, naturally used the principle of State sovereignty[16] as the means for legally, and, it was hoped, peaceably accomplishing the end. Secession sprang from this conviction of incompatibility; it was the attempt to cut the knot of a hopeless tangle. The struggle was one of social forces, of sharply contrasted ideals, of industrial radicalism with agrarian conservatism, of the factory with the plantation; in the whirl of contending ideas can it be said that individuals are anything but the pawns of fate?

The majority of Virginians, deeply loyal to the Union that had been largely the work of their fellow-citizens, did not sympathize with secession at first and looked to find another way out of the dilemma. A convention was called to consider what action the State would take in such an unprecedented crisis, and, at the same time, an earnest effort was made to arrange some basis of understanding between North and South in the hope of averting the impending conflict. This attempt, honorable to Virginia, had no chance of success from the first, and the State seriously compromised the future of the Confederacy by failing to secede until the very beginning of hostilities. Then, when the alternative was offered Virginia of assisting the North to conquer the nationality of which her own economic and social structure made her a part, as was inevitable she took her stand with the South. Her action was the one thing needed to make secession a truly national movement.

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[16]It has been asserted that the right of secession was taught at West Point by a text-book used there: Rawle's *A View of the Constitution of the United States of America*. This work, which undoubtedly leans towards State sovereignty, was used as a text-book at West Point, but apparently not for long. See James W. Latta's *Was Secession Taught at West Point?* and the *Century Magazine*, 78; 629.

"WHAT CONSTITUTES A STATE?"

What constitutes a state?
Not high-rais'd battlement, or labor'd mound,
Thick wall or moated gate;
Not cities proud with spires and turrets crowned;
Not bays and broad arm'd ports,
Where, laughing at the storm, rich navies ride;
Not starr'd and spangl'd courts,
Where low-brow'd baseness wafts perfume to pride.
No,—MEN, *high-minded* MEN,
With powers as far above dull brutes endued
In forest, brake or den,
As beasts excel cold rocks and brambles rude—
Men who their duties know,
But know their rights, and, knowing, dare maintain,
Prevent the long-aim'd blow,
And crush the tyrant while they rend the chain;
These constitute a state;
And sovereign LAW, *that state's collected will,*
O'er thrones and globes elate
Sits empress, crowning good, repressing ill.
Smit by her sacred frown,
The fiend Discretion like a vapor sinks;
And e'en the all-dazzling crown
Hides his faint rays, and at her bidding shrinks;
Such was this heaven-lov'd isle,
Than Lesbos fairer and the Cretan shore!
No more shall freedom smile?
Shall Britons languish, and be MEN *no more?*
Since all must life resign,
Those sweet rewards which decorate the brave
'Tis folly to decline,
And steal inglorious to the silent grave.

Sir William Jones, in imitation of Alcaeus.

THE MAINTENANCE OF THE DOCTRINE OF SECESSION.

H. R. McILWAINE

As pointed out in the first article, the doctrine of secession rests not only upon a clear and indisputable construction of the plain terms of the Constitution but upon a long series of often-reiterated and widely admitted public declarations. Manifestly the latter are well-nigh as important as the former. Had the doctrine of State Rights, as enunciated by the South in 1861, been a forgotten political principle laid aside in the progress of years, it could not have stood as a justification of war. When, however, that principle was maintained during the whole history of the country prior to 1861 by many men and many States, it became incarnate and vital. The following documents have been selected as illustrative of a constant adherence to the fundamental doctrine outlined in the previous section. These documents are given an added value when it is remembered that the first is dated 1788 and the last 1861, and that they come from Whig and from Democrat, from State and from party, from American and from foreigner.

The First Interpretation of the Constitution.

"In order to ascertain the real character of the Government, it may be considered in relation to the foundation on which it is to be established. * * *

On examining the first relation, it appears, on one hand, that the Constitution is to be founded on the assent and ratification of the people of America, given by deputies elected for the special purpose; but on the other, that this assent and ratification is to be given by the people, not as individuals composing one entire Nation, but as composing the distinct and independent States to which they respectively belong. It is to be the assent and ratification of the several States, derived from the supreme authority in the State—the authority of the people themselves. The act, therefore, establishing the Constitution, will not be a National, but a Foederal act."

The Foederalist [16½] (University Edition. New York, 1888), pp. 261, 262.

[16½] The *Federalist* is one of the most important of all publications giving a contemporary view of the real meaning of the Constitution. When the Constitution was referred by Congress to the States, three young men, believing that it needed explanation, decided to write a series of newspaper articles, in which they should give in detail what they regarded as the proper interpretation of the Constitution. These men were Alexander Hamilton, James Madison and John Jay, and in October, 1787, they published the first of eighty-five essays on the Constitution. These were signed at first "A Citizen of New York," and later "Publius," and attracted widespread attention.

The Original Draft of the Kentucky Resolutions.[17]

"*Resolved*, That the several States composing the United States of America, are not united on the principle of unlimited submission to their general government, but that, by a compact under the style and title of the Constitution of the United States, and of amendments thereto, they constitute a general government for special purposes; and that whensoever the general government assumes undelegated powers its acts are unauthoritative, void, and of no force, *that to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party; that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, not the Constitution, the measure of its powers:* BUT THAT, AS IN ALL CASES OF COMPACT AMONG POWERS HAVING NO COMMON JUDGE, EACH PARTY HAS AN EQUAL RIGHT TO JUDGE FOR ITSELF, AS WELL OF INFRACTIONS AS OF THE MODE AND MEASURE OF REDRESS." Jefferson's Works, v. vii, pp. 289-90.

The Resolutions of the Hartford Convention.[18]

"That acts of Congress in violation of the Constitution are absolutely void, is an undeniable position. It does not, however, consist with the respect from a CONFEDERATE STATE towards

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[17] Aside from debates in Congress and the resolutions of some of the States adopting the Constitution, the next statement of the doctrine of secession is contained in the "Kentucky Resolutions." These resolut ons have an interesting history. When the Alien and Sedition Acts were passed by a Federalist Congress, to bolster the declining political fortunes of John Adams, Thomas Jefferson felt that the Southern States should express their views on this invasion of their rights. Accordingly, he proposed a series of resolutions which he apparently committed to George Nicholas, a friend then *en route* to Kentucky. The resolutions were passed by the Kentucky Legislature and approved by the Governor on December 24, 1799. Resolutions of a somewhat similar purport were passed by the Virginia Assembly, though their tone was more moderate. The "Virginia-Kentucky" resolutions were regarded for a half-century as the corner-stone of States Rights. The text cited here is from Jefferson's original draft, with italics and capitals added by the editor.

[18] See the article above, *The Right of Secession.*

the General Government, to fly to open resistance upon every infraction of the Constitution. The mode and the energy of the opposition should always conform to the nature of the violation, the intention of the authors, the extent of the evil inflicted, the determination manifested to persist in it, and the danger of delay. But in cases of deliberate, dangerous, and palpable infractions of the Constitutions, AFFECTING THE SOVEREIGNTY OF THE STATE, and liberties of the people; IT IS NOT ONLY THE RIGHT, BUT THE DUTY, OF SUCH STATE TO INTERPOSE ITS AUTHORITY FOR THEIR PROTECTION, IN THE MANNER BEST CALCULATED TO SECURE THAT END. When emergencies occur which are either beyond the reach of judicial tribunals, or too pressing to admit of delay incident to their forms, STATES WHICH HAVE NO COMMON UMPIRE, MUST BE THEIR OWN JUDGES, AND EXECUTE THEIR OWN DECISIONS." Dwight: *History of the Hartford Convention, p.* 355.

State Sovereignty As Seen By a Foreigner.[19]

"However strong a government may be, it cannot easily escape from the consequences of a principle which it has once submitted as the foundation of its constitution. The Union was formed by the voluntary agreement of the States; and in uniting together they have never forfeited their nationality nor have they been reduced to the condition of one and the same people. If one of the States chose to withdraw its name from the contract, it would be difficult to disprove its right of doing so; and the Federal Government would have no means of maintaining its claims directly, either by force or by right." Alexis de Tocqueville: *Democracy in America*, v. 2, p. 257.

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[19] It often happens that a foreigner of culture and education is able to gain a keener insight into institutions than a man accustomed to them from his youth. Such was the case with Alexis de Tocqueville (1805-1859), the distinguished French statesman and scholar, who visited America in 1831-32. His observations, published in 1835 under the title *Democra y in America*, may properly be called the first comprehensive study of American institutions. He, it will be observed, accepted without question the fact that the American States had "never forfeited their nat onality" and could not be deterred from secession if they desired to leave the Union.

Another Foreign View of American States.

"There is not, as with us, a government only, and its subjects to be regarded; but a number of governments, of States, having each a separate, and substantive, and even independent existence, originally thirteen, now six and twenty, and each having a Legislature of its own with laws differing from those of the other States. It is plainly impossible to consider the constitution which professes to govern this whole Union, this federacy of States, as anything other than a treaty." Lord Brougham[20]: *Political Philosophy* (1849), Part III, p. 336.

Lincoln's View of Secession.

"Any people anywhere being inclined, and having the power, have the right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, most sacred right, a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can, may revolutionize and make their own any or so much of the territory as they inhabit.[21] Abraham Lincoln: *Speeches and Letters and State Papers*, Vol. 1, p. 105.

Horace Greeley on Secession.[22]

"If it [the Declaration of Independence] justified the secession from the British Empire of three millions of colonists in 1776, we

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[20] Henry Lord Brougham (1778-1868) was one of the most astute political theorists and one of the ablest practical statesmen of his generation. His views of American politics are typical of those held by the educated class generally in foreign countries.

[21] This view of the right of secession was a favorite one among those who were forced by the plain facts of history and the obvious meaning of the Constitution to admit the right of secession but who refused to accept the arguments advanced by Southern statesmen. The stock argument of those men was, in a word, that the right of secession was the right of revolution and that conditions which justified revolution alone justified secession.

[22] The views of Horace Greeley are of prime importance, coming as they do from the man who fought the South vigorously and vehemently. Horace

do not see why it would not justify the secession of five millions of Southerners from the Federal Union in 1861. If we are mistaken on this point why does not some one attempt to show wherein and why." Curtis: *Life of James Buchanan*, Vol. II, p. 430.

"*We have repeatedly said, and we once more insist*, that the great principle embodied by Jefferson in the Declaration of American Independence, that Governments derive their just power from the consent of the governed, is sound and just; AND THAT IF THE SLAVE STATES, THE COTTON STATES, OR THE GULF STATES ONLY, CHOOSE TO FORM AN INDEPENDENT NATION THEY HAVE A CLEAR MORAL RIGHT TO DO SO. WHENEVER IT SHALL BE CLEAR THAT THE GREAT BODY OF SOUTHERN PEOPLE HAVE BECOME CONCLUSIVELY ALIENATED FROM THE UNION, AND ANXIOUS TO ESCAPE FROM IT, WE WILL DO OUR BEST TO FORWARD THEIR VIEWS." *The Tribune*, February 23, 1861.

Greeley (1811-1872), after a youth of poverty and struggle, entered journalism and, in 1841, established the New York *Daily Tribune*. Through this paper he acquired great reputation and influence and came in time to rank as the leader of one branch of abolitionists. His hostility to the South and his determination to push the war to the end earned for him the hatred of the conquered country. For this he atoned in large measure during Reconstruction by his generous advocacy of amnesty and reconciliation.

JOHN LETCHER.

GOVERNMENT OF VIRGINIA IN 1861.

DOUGLAS S. FREEMAN.

JOHN LETCHER, of Rockbridge, Governor[23].
ROBERT L. MONTAGUE,[24] of Middlesex, Lieutenant-Governor.

Supreme Court.

WILLIAM DANIEL, of Lynchburg.
R. C. L. MONCURE, of Stafford.
WM. ROBERTSON, of Albemarle.
JOHN J. ALLEN, of Botetourt.[25].
GEORGE H. LEE, of Harrison.

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[23]John Letcher, the first of Virginia's two war governors, was an unusual and interesting figure. Born in Lexington, March 29, 1813, he was forced to earn a livelihood while still a boy and served for some years as a tailor. He was extremely ambitious, however, and by hard study and economy was able to enter Washington College in 1834. In a few years he began the practice of law and soon became editor of the *Valley Star*. Drifting into politics, he rose rapidly as a staunch Democrat and was elected to Congress in 1851. For eight years he remained in the House and earned for himself the title "Honest John." In 1859 he was nominated on the Democratic ticket for governor over H. A. Edmondson and defeated the Whig nominee, Wm. L. Goggin, in a heated campaign. He took his seat January 1, 1860, and served his full term of four years, giving place to Wm. Smith. Letcher was a bluff, florid man of much determination and positiveness. Like many men of his party, he bewailed the approach of secession, but as a staunch State-Rights' advocate, he was quick to defend the honor of the State when assailed. He died at Lexington, January 26, 1884, having suffered a stroke of paralysis nine years before.

[24]Robert L. Montague (1819-1880) was for many years a prominent figure in the politics of the State, serving as member of the General Assembly, as presidential elector, as Lieutenant-governor and as a member of the Secession Convention. He sat in the Confederate Congress fron 1863 to the end of the war.

[25]While all the judges of the Supreme Court in 1861 were men of exceptional ability, Judge Allen deserves especial mention. Prominent in public life for many years, he served in Congress (1833-35) prior to his promotion to the Supreme Court. At the outbreak of hostilities, he presented the famous "Botetourt Resolutions" to a meeting in that county. These resolutions, giving as they do a detailed explanation of the causes of the War, may properly be termed the Virginia Declaration of Southern Independence. They are given at length in Mary Johnston's novel *The.Long Roll.*

United States Senators.

R. M. T. HUNTER[26] and JAMES M. MASON[27].

Members of the United States House of Representatives.

M. R. H. GARNETT[28].
J. S. MILLSON[29].
D. C. DEJARNETTE[30].

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[26]Robert Mercer Taliaferro Hunter was easily one of the few real leaders of Virginia politics during the period before and during the war. He was born in Essex County, April 21, 1809, and, after several years of study at the University of Virginia, attended the famous Winchester Law School. He entered Congress in 1833, and served, with a single defeat, until 1846. In that year, as a result of a memorable *coup d'etat*, he was named United States Senator. This place he held until the secession of Virginia, rising to a place of great eminence in the upper house. As chairman of the Finance Committee, he fathered most of the important financial legislation and framed the tariff of 1857. By 1860 he had reached such a position that he was a formidable candidate for the Presidency, and, indeed, ran second to Stephen A. Douglas at the Charleston Convention of that year. When Virginia seceded he threw in his fortunes with her and was one of the State's first delegates to the Provisional Congress, serving later as Secretary of State and as Confederate States Senator. At the conclusion of the war, Senator Hunter was honored with arrest for treason, but was never tried and was ultimately pardoned by President Johnson. He lived for many years after the war, dying July 18, 1887.

[27]James Murray Mason, another famous Virginian, was a grandson of George Mason, author of the Virginia Bill of Rights. He was born in 1798 and, after a careful education, entered public life. He served in Congress for one term and, in 1846, was elected to the Senate with Hunter. He held this place until the outbreak of the war and distinguished himself for his staunch advocacy of States Rights. Appointed Confederate Commissioner to England in 1861, he figured with John Slidell in the "Trent Affair," which very nearly precipitated war between England and the North. Upon reaching England, Mason took up his duties and, among other things, published the *Index*, a valuable Southern paper. He returned to America after the war ended and died in Alexandria in 1871.

[28]A native of Essex County, long prominent in Virginia politics and for four years a member of Congress.

[29]Born at Norfolk, October 1, 1808. He never served in public office except in Congress. Died at Norfolk, February 26, 1874.

[30]Daniel Coleman de Jarnette was born in Caroline in 1822, was a successful planter, served for many years in the General Assembly and was twice elected to Congress.

ROGER A. PRYOR.[31]
THOS. S. BOCOCK.[32]
SHELTON F. LEAKE.[33]
WILLIAM SMITH.[34]
ALEX. R. BOTELER.[35]
JOHN T. HARRIS.[36]
STEWARD CLEMENS.[37]
A. G. JENKINS.[38]

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[31]Pryor was in some respects the most interesting of Virginia's Congressmen, and might be called the Hotspur of Virginia. He was born in Dinwiddie County, July 19, 1828, and after graduating from Hampden-Sidney College began to practice law, only to abandon it for the more alluring field of journalism. As editorial writer on the *Washington Union*, the *Richmond Enquirer*, the *South* and the *Washington States*, successively, he achieved celebrity as a fiery exponent of State Rights. At the outbreak of the war, he went to Charleston and figured in the attack on Sumter. During the war he served as Confederate Brigadier and as member of Congress. He is still alive (1912).

[32]Thomas S. Bocock was born in Buckingham County in 1815. He was a graduate of Hampden-Sidney, a successful lawyer, a member of the Virginia General Assembly and served in Congress from 1847 to 1861. He was later elected to the Confederate Congress, where his pleasing personality and ability won for him the place of Speaker.

[33]Leake was an "old-line" Democrat. Born in Albemarle, November 30, 1812, he taught school before he entered politics. He was a member of the House of Delegates in 1844, representative in Congress, 1845-47, 1859-61, and was Lieutenant-Governor of Virginia in 1851-55. He was a candidate for the Democratic nomination in 1855 but was defeated by Henry A. Wise.

[34]William Smith, popularly known as "Extra Billy," held practically every office in the gift of the people of Virginia. He was member of the General Assembly, Governor, Congressman, Brigadier General, Major General, and again Governor. Born in 1797, he was for thirty years a leading figure in the State. There is a statue of him in the Capitol Square at Richmond, Va.

[35]Boteler was a native of Jefferson County and was born May 16, 1815. He was graduated from Princeton and became a Whig, serving in Congress, 1859-61. He was later a member of the Confederate Congress and served as a staff officer.

[36]Harris was a native of Albemarle (born 1823), practiced law and served for many years in Congress.

[37]Owens was for a long time joint leader with Geo. W. Summers of the Western Virginia element in State politics. Born April 28, 1826, he was a lawyer and long a member of Congress. He fought secession very bitterly.

[38]Albert G. Jenkins was a native of Cabell County and was born November 10, 1830. Graduated from Jefferson College, he studied law, but farmed instead of following his profession. A staunch Democrat and a man of splendid ability, he served four years in Congress and resigned to throw in his fort-

H. A. EDMONDSON.[39]
E. S. MARTIN.[40]

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une with his native State. He was killed, while ranking as Brigadier General, at the battle of Cloyd's Mountain, Va.

[39]Edmondson was long a power to be reckoned with in Virginia politics and served in Congress from 1849 to 1861. He was an unsuccessful candidate for the Democratic gubernatorial nomination in 1859.

[40]Martin served only one term in Congress.

SLAVERY IN VIRGINIA IN 1861.

DOUGLAS S. FREEMAN.

Slavery had come into Virginia against the wishes of the Colonists, who had done their utmost to prevent it (Ballagh, *History of Slavery in Virginia*, p. 11 ff.). When the Constitution was adopted, with its recognition of slavery, some of the best and ablest men in Virginia opposed that instrument and the government it aimed to establish, because they perpetuated slavery (Munford, *The Attitude of Virginia Towards Slavery and Secession*, p. 30 ff.). By 1830, Virginia was anxious to be rid of slavery, and the Convention called in 1831 seriously debated the abolition of slavery. The institution had grown to such an extent, however, and the problem of the free negro had become so serious, that men hesitated to set loose upon society so many thousands of half-civilized blacks. Just at this time came the Nat Turner Insurrection—a horrible affair which brought home to every planter the possibilities of negro freedom (Drewry, *Southampton Insurrection*). Regretfully, unwillingly, Virginia had to accept slavery as it existed. This was the attitude of the average man in 1861, when the Northern people hurled at Virginia the charge that she wished to perpetuate human bondage. This was the attitude of General Lee, who, in carrying out the provisions of his father-in-law's will, manumitted his slaves, as did thousands of other Virginians, who aided in the establishment of Liberia and in the exportation of their negroes. (Munford, *op. cit.*)

POPULATION OF VIRGINIA IN 1860[41]

Total Whites	1,047,299
Total free colored	58,042[42]
Total slaves	490,865[43]
Total Indians	112

[U. S. Census, 1860; Population, p. 515].

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[41]This includes the population of the present State of West Virginia. In studying the population and extent of Virginia on the eve of the war, it is well to remember that the State stood as a buffer between the North and South. Stretching from the Atlantic to Kentucky, and divided from the North by the Ohio and the Potomac, Virginia was a natural boundary. This was one of the reasons why her action was watched with such breathless interest by the South: upon her depended, in large measure, their safety from immediate invasion.

[42]This large free population—the largest of any of the Southern States—is one explanation why manumission progressed so slowly in the State. The "free negroes" were a shiftless, criminal and generally undesirable class, whose base propensities were a constant reminder of the possibilities of general emancipation.

[43]See table below for the slave-owning population of Virginia.

Slave Owners in Virginia in 1860.

Number holding 1 slave	11,085
Number holding 2 slaves	5,989
Number holding 3 slaves	4,474
Number holding 4 slaves	3,807
Number holding 5 slaves	3,233
Number holding 6 slaves	2,824
Number holding 7 slaves	2,393
Number holding 8 slaves	1,984
Number holding 9 slaves	1,788
Number holding 10 to 14 slaves	5,686
Number holding 14 to 19 slaves	3,088
Number holding 20 to 29 slaves	3,017
Number holding 30 to 39 slaves	1,291
Number holding 40 to 49 slaves	609
Number holding 50 to 69 slaves	503
Number holding 70 to 99 slaves	243
Number holding 100 to 199 slaves	105
Number holding 200 to 299 slaves	8
Number holding 300 to 499 slaves	1
Number holding 500 to 999 slaves	0
Number holding more than 1,000 slaves	0
Total number of slave-owners	52,128[44]
Total number of slaves	490,865

[44] These figures should be kept in mind in connection with the total white population of Virginia. It was a constant argument in the days of secession and it is a standing taunt to-day that Virginia, with the other Southern States, seceded to protect slavery. When all is said and done, Northern writers declare slavery was the real cause of the war; State Rights were but an incident. This table of itself is a sufficient refutation of this charge. With a total white population of 1,047,299 and a slave owning population of but 52,158, it is manifest that only one person in twenty owned slaves; and computing five persons to one white adult—a most liberal allowance—only one Virginian of four in 1860 was directly interested in the perpetuation of slavery.

VIRGINIA.

Virginia! Virginia! the home of the free,
The birthplace of Washington, the land of Liberty,
Your soil is invaded by tyrants and knaves,
Your fields once so brilliant now gloomy with graves.
Virginia! Virginia! the home of the free,
Three cheers for Virginia and Liberty.

Virginia! Virginia! the battle's begun,
We've met the Northern Army, the vict'ry we have won,
And the cry of our leaders ever shall be,
On, on to the charge, ye brave sons, follow me.
Virginia! Virginia! the home of the free,
Three cheers for Virginia and Liberty.

To arms, ye brave sires, and fly to the field.
Thy aim shall be victory and courage be thy shield.
Trust in your God for 'tis He who rules us all,
Bow meekly to His rod, be ready for His call.
Virginia! Virginia! the home of the free,
Three cheers for Virginia and Liberty.

J.W.RANDOLPH, 121 Main Street, Richmond. Va.

(J.W.Randolph has also published „STONEWALL JACKSON'S WAY" for Piano. Price $1.00)

Andante.

PIANO

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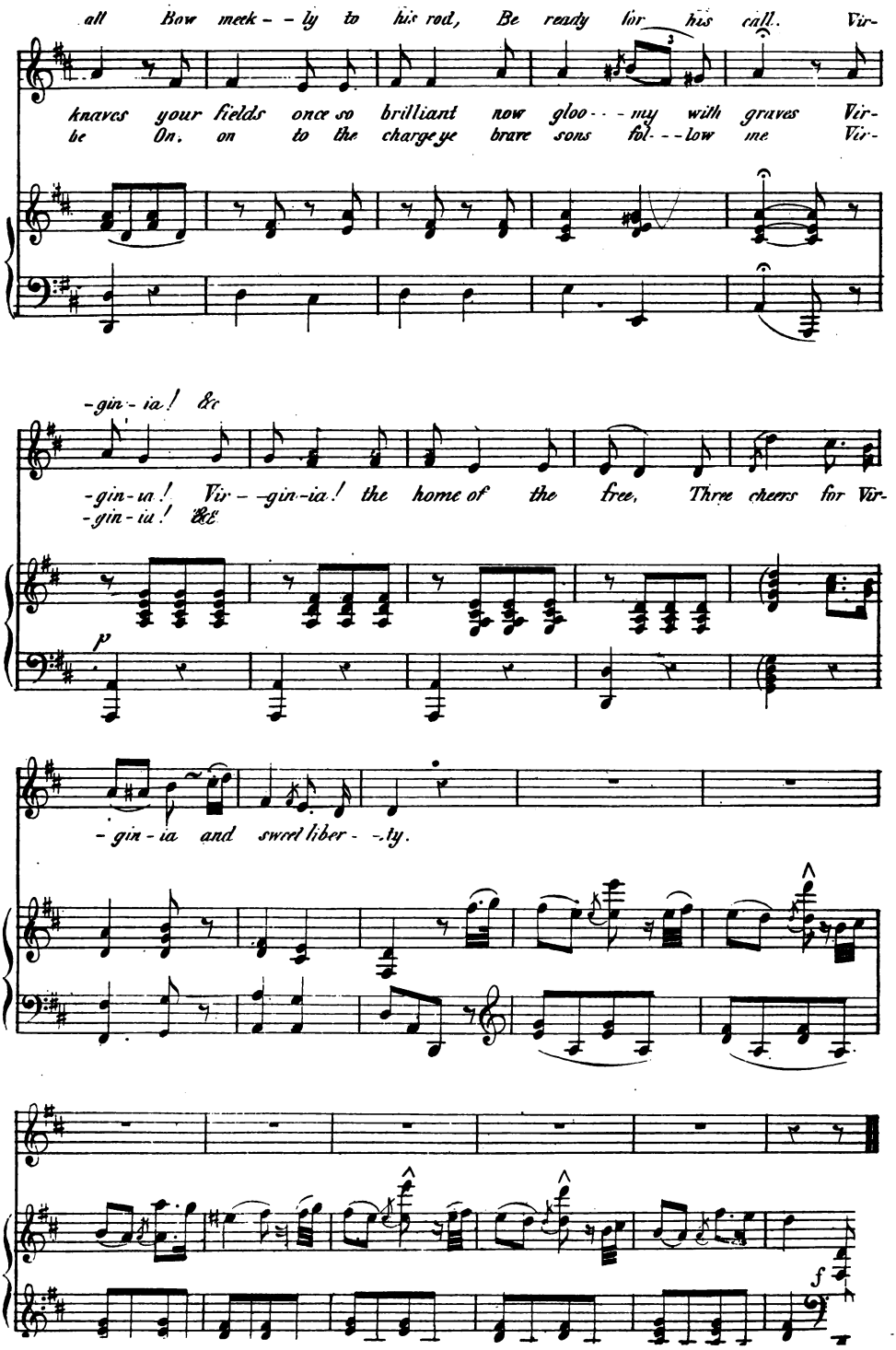
smorz.

3 To arms, ye brave Sires and fly to the field Thy aim shall be

1. Vir - gin - ia! Vir - gin - ia the home of the free The birthplace of
2. Vir - gin - ia! Vir - gin - ia the but - - tle's be - - gun We've met the Nor -

sempre legato.

Vic - to - ry and courage be thy shield Trust in your God for 'tis He who rules us.

Washington the land of liber - - - ty. Your soil is in - - vad ed by ty - - rants and
-thern army, the vict'ry we have won. And the cry of our leaders ev - - er shall

all Bow meek - - ly to his rod, Be ready for his call. Vir-
knaves your fields once so brilliant now gloo - - my with graves Vir-
be On, on to the charge ye brave sons fol - - low me Vir-
-gin-ia! &c
-gin-ia! Vir - -gin-ia! the home of the free, Three cheers for Vir-
-gin-iu! &c
p
-gin-ia and sweet liber - -ty.
f

THE JOHN BROWN RAID.

DOUGLAS S. FREEMAN.

The Southern view of the American Union was bit erly assailed during the ten years preceding the War Between the States. Sincere advocates of a government of a people rather than of States joined hands with the enemies of the South in the formation of the Republican party. This party began a country-wide campaign for the purpose of abolishing slavery, or at least of overthrowing Southern political power. Inspired by enthusiasts like William Lloyd Garrison and by the over-drawn and unfair picture of slave life presented by Mrs. Harriet Beecher Stowe, the Republican party attempted to elect a President in 1856. Their nominee, General John C. Fremont, was beaten by the Democratic nominee, James Buchanan, but they gained strength rapidly and threatened the overthrow of the South. Slavery was the occasion, divergent views of the government the cause of the struggle which was then precipitated. Some of the abolitionists composing the new party were sincere opponents of slavery and sought its extinction by law. Others were willing to overthrow the Union, to violate the most cherished principles of the Constitution and to wage a war against the South if by this means they might destroy slavery. Gerrit Smith, of New York, Joshua R. Giddings, of Ohio, and John Brown, were the most radical of the abolitionists. To the last named, more than to any one else, was due the intense feeling which made the Republicans triumphant in 1860. Brown was a man of humble origin, devoted heart and soul to the anti-slavery cause, absolutely conscienceless in his choice of means to accomplish his ends, and, it seems probable, a monomaniac of the dangerous type. In 1859, supported by Gerrit Smith and probably by Giddings, he determined to begin an armed invasion of the South. That his supporters in the North kn w his general purpose and approved it is beyond question; that they sanctioned his raid on Harper's Ferry is more doubtful. In his residence in Kansas, where he had been little better than a murderer, Brown gathered about him a number of kindred spirits as zealous as he in their opposition to slavery. With these men he came East in 1859 and, accumulating a considerable store of arms and ammunition, rented a farm in Maryland not far from Harper's Ferry. On October 17, 1859, moving across the river, he began the raid which has made his name infamous in the South and famous in the North. The details of the raid are familiar and are given in all the text-books. The raid itself was soon crushed and might have been forgotten, but for three things:—the evidence of widespread support which was promised him by honorable people in the North, the extent of his plans, and the sympathy which was shown him at the time of his arrest and execution. The document which follows indicates, in a measure, the support he received. In his trunk were found even more convincing proofs of his plan to begin a campaign against the South which should reach into every slave-holding State. For example, a map of the Southern States was discovered among his belongings having a number of localities carefully marked with a pencil. In each of the districts so marked a census-table,

attached to the map, showed a predominance of negroes over whites. The South could but conclude that Brown meant to stir up insurrection in these places, to free the negroes and, if need be, to massacre the whites. Last of all, when Brown was in jail and, more particularly, when he was executed, a wave of unconcealed sympathy swept the North; he was held up as a martyr, the day of his death was a day of fasting and prayer; and, in Boston, one fanatical preacher declared that the crime of Pontius Pilate in crucifying Jesus Christ whitened into virtue compared with the crime of Governor Wise in hanging John Brown. To the South Brown represented all that was evil. He was a man who had deliberately come among the Southern people to inflame the negroes to insurrection and, if need be, to massacre women and children in doing so. When, therefore, he was lauded as a martyr and saint, the South could but conclude that the North approved of private warfare against the institution of slavery. A detailed account of the raid, written from the Northern standpoint but in a spirit of fair-mindedness and after a most exhaustive and scientific study of the sources, is given in O. G. Villard's *John Brown*, (N. Y. 1910). No full account of Brown from the Southern standpoint has been written.

BROWN'S PURPOSE AS DISCLOSED BY HIS OWN TESTIMONY.

Senator Mason[1]*:* Can you tell us who furnished money for your expedition?

John Brown: I furnished most of it myself; I cannot implicate others[2]. It is by my own folly that I have been taken. I could easily have saved myself from it, had I exercised my own better judgment rather than yielded to my feelings.

* * * * * *

Mason: If you would tell us who sent you here—who provided the means—that would be information of some value.

Brown: I will answer freely and faithfully what concerns myself. I will answer anything I can with honor—but not about others.

Mr. Vallandigham[3] (who had just entered): Mr. Brown, who sent you here?

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[1]Senator James M. Mason, of Virginia. Mr. Mason was chairman of a special committee appointed by the United States Senate to investigate the raid, and he came to Harper's Ferry for that purpose. This conversation is one of a number recorded by the newspaper men of the time.

[2]Gerrit Smith had furnished him $100.00 shortly before he came to the neighborhood of Harper's Ferry.

[3]C. L. Vallandigham, of Ohio, a prominent lawyer and member of Congress of Southern sympathies.

Brown: No man sent me here; it was my own prompting and that of my Maker, or that of the Devil—whichever you are pleased to ascribe it to. I acknowledge no master in human form.

Vallandigham: Did you get up the expedition yourself?

Brown: I did.

Vallandigham: Did you get up this document that is called a Constitution?[4]

Brown: I did. They are a constitution and ordinances of my own contriving and getting up.

Vallandigham: How long have you been engaged in this business?

Brown: From the breaking out of the difficulties in Kansas.[5] Four of my sons had gone there to settle, and they induced me to go. I did not go there to settle but because of the difficulties.

Mason: How many are there engaged with you in this business?

Brown: Any questions that I can honorably answer I will—not otherwise. So far as I am myself concerned, I have told everything truthfully. I value my word, sir.

Mason: What was your object in coming?

Brown: We came to free the slaves and only that.

A Volunteer: How many men in all had you?

Brown: I came to Virginia with eighteen men only, besides myself.

Volunteer: What in the world did you suppose you could do here in Virginia with that amount of men?

Brown: Young man, I do not wish to discuss that question here.

Volunteer: You could not do anything.

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[4]The "Provisional Constitution and Ordinances for the People of the United States." This curious document was drafted by the so-called Chatham Convention, a gathering of refugees from Kansas which assembled at Brown's call in Chatham, Canada, in May, 1858. Brown stated at the time of his arrest, with amazing simplicity, that the constitution drawn up, for a separate government, was not intended to overthrow the Constitution of the United States. Indeed, a clause in the constitution so provided. By this constitution, Brown and his government proposed to be guided in their future attacks on the South.

[5]Perhaps the fairest account of the Kansas question can be found in James Ford Rhodes' *History of the United States since the Compromise of* 1850.

Brown: Well perhaps your ideas and mine on military subjects would differ materially.[6]

Mason: How do you justify your acts?

Brown: I think, my friend, you are guilty of a great wrong against God and humanity—I say it without wishing to be offensive—and it would be perfectly right for anyone to interfere with you so far as to free those you wilfully and wickedly hold in bondage. I do not say this insultingly.

Mason: I understand that.

Brown: I think I did right, and that others will do right who interfere with you at any times and at all times. I hold that the Golden Rule, "Do unto others as ye would that others do unto you," applies to all who would help others to gain their liberty.

* * * * * *

Vallandigham: Will you answer this: Did you talk with Giddings[7] about your expedition here?

Brown: No, I won't answer that; because a denial of it I would not make, and to make an affirmation of it I should be a great dunce.

Vallandigham: Have you had any correspondence with parties of the North on the subject of this movement?

Brown: I have had correspondence.

* * * * * *

Vallandigham: Who are your advisers in this movement?

Brown: I can not answer that. I have numerous sympathizers throughout the North.

Vallandigham: In Northern Ohio?

Brown: No more there than anywhere else; in all the free States.

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[6]Brown labored under the idea that as soon as he raised his standard of revolt in Virginia the slaves would flock to him by thousands. As a matter of fact, he was much mistaken. Only those slaves joined h m who were forced to do so, and some of these deserted at the first opportunity. Like all the abolitionists, Brown overlooked the fact that the slaves were, in the main, fairly well content with their lot—a fact which the war fully proved.

[7]The Joshua R. Giddings, referred to above. Brown did confer with Giddings, but it has never been proved that Giddings was fully cognizant of Brown's designs.

Vallandigham: But you are not personally acquainted in Southern Ohio?

Brown: Not very much.

* * * * * *

Bystander: Why did you do it [move against Harper's Ferry] secretly?

Brown: Because I thought it necessary to success; no other reason.

Bystander: The New York Herald of yesterday in speaking of this affair, mentions a letter in this way:

> "Apropos of this exciting news, we recollect a very significant passage in one of Gerrit Smith's letters, published a month or two ago, in which he speaks of the folly of attempting to strike the shackles off the slaves by the force of moral suasion or legal agitation, and predicts that the next movement made in the direction of negro emancipation would be an insurrection in the South."[8]

Brown: I have not seen the New York Herald for some days past; but I presume from your remark about the gist of the letter, that I should concur with it. I agree with Mr. Smith that moral suasion is hopeless. I don't think the people of the slave States will ever consider the subject of slavery in its true light until some other argument is resorted to than moral suasion.

Vallandigham. Did you expect a general rising of the slaves in the case of your success?

Brown: No, sir; nor did I wish it. I expected to gather them up from time to time and set them free.[9]

* * * * * *

Vallandigham: Did you see anything of Joshua R. Giddings there?

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[8]This has long been regarded as one of the strongest links in the evidence against Smith. If he did not know of Brown's plan for an armed invasion, it was singular, to say the least, that he predicted, so near the event, precisely the kind of movement Brown had on foot. Additional weight was given the charges against Smith by the fact that soon after Brown's arrest and his implication in the matter, Smith's mind became deranged.

[9]Brown here told the truth but not the whole truth. His plan was obviously to collect as many negroes as would join him—and he expected many would—and with them to hasten to the mountains whence he could descend to carry on war and pillage.

Brown: I did meet him.

Vallandigham: Did you converse with him?

Brown: I did. I would not tell you, of course, anything that would implicate Mr. Giddings; but I certainly met with him and had conversations with him.

Vallandigham: About that rescue case?[10]

Brown: Yes; I heard him express his opinions upon it very freely and frankly.

Vallandigham: Justifying it?

Brown: Yes, sir; I do not compromise him, certainly, in saying that.

* * * * * *

Vallandigham: What time did you commence your organization in Canada?[11]

Brown: That occurred about two years ago; in 1858.

* * * * * *

Dr. Biggs: Were you in the party at Dr. Kennedy's house?[12]

Brown: I was the head of that party. I occupied the house to mature my plans. I have not been in Baltimore to purchase caps.

Dr. Biggs: What was the number of men at Kennedy's?

Brown: I decline to answer that.

* * * * * *

Q. Where did you get arms?

A. I bought them.

Q. In what State?

A. That I will not state.

Q. How many guns?

A. Two hundred Sharpe's rifles and two hundred revolvers—what is called the Massachusetts Arms Company's revolvers, a little under navy size.[13]

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[10]Apparently a case in which a fugitive slave was taken from the officers of the law by a mob and was spirited away.

[11]The Chatham Convention, referred to above.

[12]The so-called Kennedy farm, just over the Maryland line from Harper's Ferry.

[13]The arms were purchased in Connecticut and New York. In addition, Brown had two thousand pikes for use among his negro recruits.

Q. Brown, suppose you had every nigger in the United States, what would you do with them?

A. Set them free.

Q. Your intentions were to carry them off and free them?

A. Not at all.

Bystander: To set them free would sacrifice the life of every man in this community.

Brown: I do not think so.

Bystander: I know it. I think you are fanatical.

Brown: And I think you are fanatical. "Whom the gods would destroy they first make mad," and you are mad.

Q. Was it your only object to free the negroes?

A. Absolutely our only object.

Q. But you demanded and took Colonel Washington's watch and silver?[14]

A. Yes; we intended freely to appropriate the property of slaveholders to carry out our object. It was for that and only that and with no designs to enrich ourselves with any plunder whatever.

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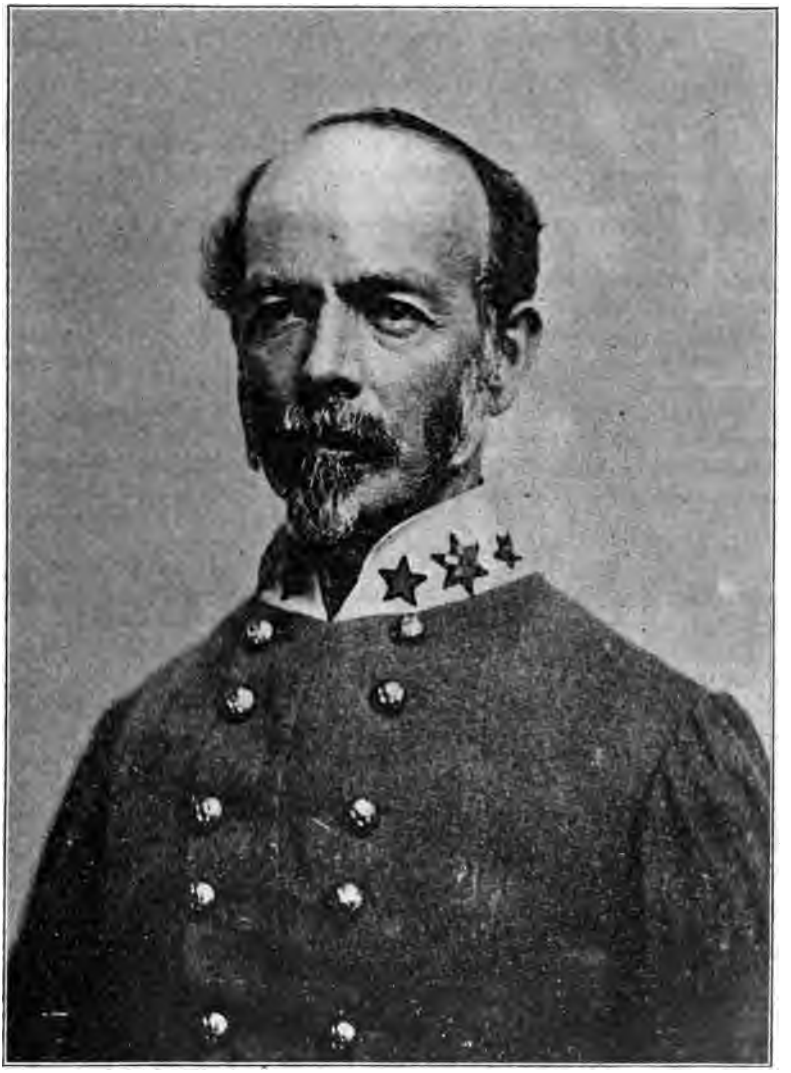
[14]Colonel Lewis W. Washington, great grandson of George Washington's only brother. Brown and his party invaded Col. Washington's home, took him prisoner and appropriated his property.



JOSEPH E. JOHNSTON.

VIRGINIA'S POSITION IN 1861—VIEWS OF ALL SECTIONS OF THE STATE.

HON. EDWIN P. COX.

The John Brown raid had awakened the South, and Virginia in particular, to the possibilities of that abolition sentiment which had been steadily growing in the North since 1830; but this raid did not convince Virginia that she should break the ties of union in an effort to preserve her women and children from the ravages of self-constituted liberators and negroes. On the contrary, Virginia positively declined to receive any overtures looking to secession after the John Brown raid and declined to enter into an arrangement proposed by South Carolina on the ground that it would mean secession. In 1860, however, the situation became more gloomy. The Democratic party, meeting in national Convention in Charleston, became hopelessly divided, and a split in the party resulted. Virginia did her best to heal the breach, but when the Northern Democrats, assembling in Baltimore, declined to receive the delegates who had left the Convention at Charleston, Virginia's representatives in the Convention, left that body and joined with the other Southern delegates in a Convention at Richmond. In the meantime, the Republicans had nominated Abraham Lincoln for the Presidency on a ticket of direct hostility to the South; and the Whigs—or such of them as were left—had nominated James Bell for the Presidency on a ticket of conciliation and Union. As a proof of her desire to preserve the Union, Virginia did something she had not done before: she rejected the Democratic ticket and threw the State vote to Bell and Everett, that is, to men whose policy was one of conciliation. But Lincoln had triumphed; abolitionism was supreme; and South Carolina, feeling that the election of Lincoln was an act of war against the South, seceded from the Union, December 21, 1860. Other States speedily followed her, and, on February 8, 1861, formed the Southern Confederacy at Montgomery. Virginia could not watch this partition of the Union without concern. She had struggled long for the Union; she had given to it some of her ablest sons, and she loved it. Her representatives in the General Assembly, however, thought that the sovereign people of the State should assemble in Convention and decide what course they should pursue. Accordingly the Assembly called a convention of the people to assemble in Richmond, February 13, and in the meantime, sent delegates to the seceded States and to Washington, in an effort to preserve peace, and, in addition, called a convention of all the States, the "Peace Convention."

The election to the Convention was held on February 7, and its result showed plainly the conservative attitude of Virginia and her desire to maintain the Union. Those men who were candidates for the Convention on a platform of "immediate secession"—that is, the men who believed that Virginia had sufficient ground for leaving the Union—were in most instances defeated; and a majority of the delegates elected represented the National Democratic and old Whig parties. They were men who believed that the

traditions of Virginia should be maintained and that in this crisis of National life she should do all in her power to preserve the Union. States-Rights men to the backbone, these conservatives nevertheless believed that secession should not be resorted to except as a last alternative of self-defense. When the Convention assembled this element controlled its action and named John Janney as president.

BOTETOURT RESOLUTIONS.

Offered in a large mass meeting of the people of Botetourt County, December 10th, 1860, by the Hon. John J. Allen, President of the Supreme Court of Virginia, and adopted with but two dissenting voices.

The people of Botetourt County, in general meeting assembled, believe it to be the duty of all the citizens of the Commonwealth, in the present alarming condition of our country, to give some expression of their opinion upon the threatening aspect of public affairs. They deem it unnecessary and out of place to avow sentiments of loyalty to the constitution and devotion to the Union of these States. A brief reference to the part the State has acted in the past will furnish the best evidence of the feelings of her sons in regard to the Union of the States and the constitution, which is the sole bond which binds them together.

In the controversies with the mother country, growing out of the efforts of the latter to tax the colonies without their consent, it was Virginia who, by the resolutions against the stamp act, gave the example of the first authoritative resistance by a legislative body to the British Government, and so imparted the first impulse to the Revolution.

Virginia declared her independence before any of the colonies, and gave the first written constitution to mankind.

By her instructions her representatives in the General Congress introduced a resolution to declare the colonies independent States, and the declaration itself was written by one of her sons.

She furnished to the Confederate States the father of his country, under whose guidance independence was achieved, and the rights and liberties of each State, it was hoped, perpetually established.

She stood undismayed through the long night of the Revolution, breasting the storm of war and pouring out the blood of her sons like water on almost every battle-field, from the ramparts of Quebec to the sands of Georgia.

By her own unaided efforts the northwestern territory was conquered, whereby the Mississippi, instead of the Ohio river, was recognized as the boundary of the United States by the treaty of peace.

To secure harmony, and as an evidence of her estimate of the value of the Union of the States, she ceded to all for their common benefit this magnificent region—an empire in itself.

When the articles of confederation were shown to be inadequate to secure peace and tranquillity at home and respect abroad, Virginia first moved to bring about a more perfect Union.

At her instance the first assemblage of commissioners took place at Annapolis, which ultimately led to the meeting of the convention which formed the present constitution.

This instrument itself was in a great measure the production of one of her sons, who has been justly styled the father of the constitution.

The government created by it was put into operation with her Washington, the father of his country, at its head; her Jefferson, the author of the Declaration of Independence, in his cabinet; her Madison, the great advocate of the constitution, in the legislative hall.

Under the leading of Virginia statesmen the Revolution of 1798 was brought about, Louisiana was acquired, and the second war of independence was waged.

Throughout the whole process of the Republic she has never infringed on the rights of any State, or asked or received an exclusive benefit.

On the contrary, she has been the first to vindicate the equality of all the States, the smallest as well as the greatest.

But claiming no exclusive benefit for her efforts and sacrifices in the common cause, she had a right to look for feelings of fraternity and kindness for her citizens from the citizens of other States, and equality of rights for her citizens with all others; that those for whom she had done so much would abstain from actual aggressions upon her soil, or if they could not be prevented would show themselves ready and prompt in punishing the aggressors; and that the common government, to the promotion of which she contributed so largely for the purpose of "establishing justice and insuring domestic tranquillity," would not, whilst the forms of the constitution were observed, be so per-

verted in spirit as to inflict wrong and injustice and produce universal insecurity.

These reasonable expectations have been grievously disappointed.

Owing to a spirit of pharisaical fanaticism prevailing in the North in reference to the institution of slavery, incited by foreign emissaries and fostered by corrupt political demagogues in search of power and place, a feeling has been aroused between the people of the two sections of what was once a common country, which of itself would almost preclude the administration of a united government in harmony.

For the kindly feelings of a kindred people we find substituted distrust, suspicion and mutual aversion.

For a common pride in the name American, we find one section even in foreign lands pursuing the other with revilings and reproach.

For the religion of a Divine Redeemer of all, we find a religion of hate against a part; and in all the private relations of life, instead of fraternal regard, a "consuming hate," which has but seldom characterized warring nations.

This feeling has prompted a hostile incursion upon our own soil, and an apotheosis of the murderers, who were justly condemned and executed.

It has shown itself in the legislative halls by the passage of laws to obstruct a law of Congress passed in pursuance of a plain provision of the constitution.

It has been manifested by the industrious circulation of incendiary publications, sanctioned by leading men, occupying the highest station in the gift of the people, to produce discord and division in our midst, and incite to midnight murder and every imaginable atrocity against an unoffending community.

It has displayed itself in a persistent denial of the equal rights of the citizens of each State to settle with their property in the common territory acquired by the blood and treasure of all.

It is shown in their openly avowed determination to circumscribe the institution of slavery within the territory of the States now recognizing it, the inevitable effect of which would be to fill the present slave-holding States with an ever increasing negro population, resulting in the banishment of our own non-slave-holding population in the first instance, and the eventual

surrender of our country to a barbarous race, or, what seems to be desired, an amalgamation with the African.

And it has at last culminated in the election, by a sectional majority of the free States alone, to the first office in the republic, of the author of the sentiment that there is an "irrepressible conflict" between free and slave labor and that there must be universal freedom or universal slavery; a sentiment which inculcates, as a necessity of our situation, warfare between the two sections of our country without cessation or intermission until the weaker is reduced to subjection.

In view of this state of things, we are not inclined to rebuke or censure the people of any of our sister States in the South, suffering from injury, goaded by insults, and threatened with such outrages and wrongs, for their bold determination to relieve themselves from such injustice and oppression, by resorting to their ultimate and sovereign right to dissolve the compact which they had formed and to provide new guards for their future security.

Nor have we any doubt of the right of any State, there being no common umpire between co-equal sovereign States, to judge for itself on its own responsibility, as to the mode and measure of redress.

The States, each for itself, exercised this sovereign power when they dissolved their connection with the British Empire.

They exercised the same power when nine of the States seceded from the confederation and adopted the present constitution, though two States at first rejected it.

The articles of confederation stipulated that those articles should be inviolably observed by every State, and that the Union should be perpetual, and that no alteration should be made unless agreed to by Congress and confirmed by every State.

Notwithstanding this solemn compact, a portion of the States did, without the consent of the others, form a new compact; and there is nothing to show, or by which it can be shown, that this right has been, or can be, diminished so long as the States continue sovereign.

The confederation was consented to by the Legislature for each State; the constitution by the people of each State for such State alone. One is as binding as the other, and no more so.

The constitution, it is true, established a government, and it operates directly on the individual; the confederation was a league operating primarily on the States. But each was adopted by the State for itself; in the one case by the Legislature acting for the State; in the other "by the people not as individuals composing one nation, but as composing the distinct and independent States to which they respectively belong."

The foundation, therefore, on which it was established was federal, and the State, in the exercise of the same sovereign authority by which she ratified for herself, may for herself abrogate and annul.

The operation of its powers, whilst the State remains in the Confederacy, is national; and consequently a State remaining in the Confederacy and enjoying its benefits cannot, by any mode of procedure, withdraw its citizens from the obligation to obey the constitution and the laws passed in pursuance thereof.

But when a State does secede, the constitution and laws of the United States cease to operate therein. No power is conferred on Congress to enforce them. Such authority was denied to the Congress in the convention which framed the constitution, because it would be an act of war of nation against nation—not the exercise of the legitimate power of a government to enforce its laws on those subject to its jurisdiction.

The assumption of such a power would be the assertion of a prerogative claimed by the British Government to legislate for the colonies in all cases whatever; it would constitute of itself a dangerous attack on the rights of the States, and should be promptly repelled.

These principles, resulting from the nature of our system of confederate States, cannot admit of question in Virginia.

Our people in convention, by their act of ratification, declared and made known that the powers granted under the constitution being derived from the people of the United States, may be resumed by them whenever they shall be perverted to their injury and oppression.

From what people were these powers derived? Confessedly from the people of each State, acting for themselves. By whom were they to be resumed or taken back? By the people of the State who were then granting them away. Who were to determine whether the powers granted had been perverted to their

injury or oppression? Not the whole people of the United States, for there could be no oppression of the whole with their own consent; and it could not have entered into the conception of the convention that the powers granted could not be resumed until the oppressor himself united in such resumption.

They asserted the right to resume in order to guard the people of Virginia, for whom alone the convention could act, against the oppression of an irresponsible and sectional majority, the worst form of oppression with which an angry Providence has ever afflicted humanity.

Whilst, therefore, we regret that any State should, in a matter of common grievance, have determined to act for herself without consulting with her sister States equally aggrieved, we are nevertheless constrained to say that the occasion justifies and loudly calls for action of some kind.

The election of a President, by a sectional majority, as the representative of the principles referred to, clothed with the patronage and power incident to the office, including the authority to appoint all the postmasters and other officers charged with the execution of the laws of the United States, is itself a standing menace to the South—a direct assault upon her institutions—an incentive to robbery and insurrection, requiring from our own immediate local government, in its sovereign character, prompt action to obtain additional guarantees for equality and security in the Union, or to take measures for protection and security without it.

In view, therefore, of the present condition of our country, and the causes of it, we declare almost in the words of our fathers contained in an address of the freeholders of Botetourt, in February, 1775, to the delegates from Virginia, to the Continental Congress, "That we desire no change in our government whilst left to the free enjoyment of our equal privileges secured by the constitution; but should a wicked and tyrannical sectional majority, under the sanction of the forms of the constitution, persist in acts of injustice and violence towards us, they only must be answerable for the consequences.

"That liberty is so strongly impressed upon our hearts that we cannot think of parting with it with our lives; that our duty to

God, our country, ourselves and our posterity forbid it; we stand, therefore, prepared for every contingency."

Resolved Therefore, That in view of the facts set out in the foregoing preamble, it is the opinion of this meeting that a convention of the people should be called forthwith; that the State, in its sovereign character, should consult with the other Southern States, and agree upon such guarantees as in their opinion will secure their equality, tranquillity and rights within the Union; and in the event of a failure to obtain such guarantees, to adopt in concert with the other Southern States, or alone, such measures as may seem most expedient to protect the rights and insure the safety of the people of Virginia.

And in the event of a change in our relations to the other States being rendered necessary, that the convention so elected should recommend to the people, for their adoption, such alterations in our State constitution as may adapt it to the altered condition of the State and country.

Speech of John Janney Upon Assuming Chair as President of the Virginia Convention.[15]

Gentlemen, there is a flag which for nearly a century has been borne in triumph through the battle and the breeze, and which now floats over this capitol, on which there is a star representing this ancient Commonwealth, and my earnest prayer, in which I know every member of this body will cordially unite, is that it may remain there forever, provided always that its lustre is untarnished. We demand for our own citizens perfect equality of rights with those of the empire States of New York, Pennsylvania and Ohio, but we ask for nothing that we will not cheerfully concede to those of Delaware and Rhode Island.

The amount of responsibility which rests upon this body cannot be exaggerated. When my constituents asked me if I would consent to serve them here if elected, I answered in the affirmative, but I did so with fear and trembling. The people of Virginia have, it is true, reserved to themselves, in a certain contingency, the right to review our action, but still the measures which we adopt may be fraught with good or evil to the whole country.

Is it too much to hope that we, and others who are engaged in the work of peace and conciliation, may so solve the problems which now perplex us, as to win back our sisters of the South, who, for what they deem sufficient cause, have wandered from their old orbits? May we not expect that our old sister, Massachusetts will retrace her steps? Will she not follow the noble example of Rhode Island, the little State with a heart large enough for a whole continent?[16] Will she not, when she remem-

[15] The splendid speech which follows was delivered by Janney on taking the chair and is an admirable statement of Virginia's views at the time. Janney himself was a Whig, a native of Loudoun County and one of the most upright and pure-minded men in Virginia. The other extracts from speeches and from resolutions passed at the time indicate the trend of public opinion.

[16] This referred to the action of Rhode Island in offering to rescind her "personal liberty law." This law was one of a series enacted by the Northern States after the passage of the Fugitive Slave law in 1851, and was one of the chief grievances of the South. The Constitution, it will be recalled, provided that a fugitive from justice fleeing from one State and apprehended in another State should be returned by the authorities of the latter State.

bers who it was who first drew his sword from the scabbard on her own soil at Cambridge,[17] and never finally returned it until her liberty and independence were achieved, and whence he came, repeal her obnoxious laws, which many of her own wisest and best citizens regard as a stain upon her legislative records?

Gentlemen, this is no party Convention. It is our duty on an occasion like this to elevate ourselves into an atmosphere, in which party passion and prejudice cannot exist—to conduct all our deliberations with calmness and wisdom, and to maintain, with inflexible firmness, whatever position we may find it necessary to assume.[18]—*Journal of Convention of* 1861—pp. 9-10.

Under the provision of this section Congress had early passed a so-called fugitive slave law which provided that slaves fleeing from their masters and apprehended in one State should be returned to the State from which they fled. This law was faulty in some essential respects and could not be enforced by the Federal authorities. Following the decision of the Supreme Court in the case of Prigg *vs.* Pennsylvania (16 Pet., 539), an agitation arose for a more stringent fugitive slave law. This was enacted as a part of the compromise of 1850, largely through the efforts of Senator Mason. This law placed the arrest and return of fugitives in the hands of Federal marshals and organized machinery by which the Constitution could be enforced. In opposition to this legislation a number of the Northern States enacted so-called personal liberty laws, which practically threw the entire machinery of the State Government in opposition to the mandate of the Constitution and of the Federal statute, enabling a fugitive negro to escape apprehension or return. These laws were clearly unconstitutional, were intended to be unconstitutional, and were enacted in bitter partisan spirit. When the war approached and the division of the Union seemed inevitable, Rhode Island repealed this law as a token of her desire for reconciliation. The Fugitive Slave laws are treated fully in all the standard histories of the United States. The most recent brief study is to be found in Smith, *Parties and Slavery*. For a more extended study see McDougall, *Fugitive Slaves*.

[17] The reference of course is to Washington.

[18] The sentiments expressed by John Janney as quoted above were reflected by leaders of public opinion in Virginia during the troubled weeks that followed the meeting of the Virginia Convention, and indeed during the entire period prior to Lincoln's call for troops. These were trying times. The Convention called by Virginia and meeting in Washington was unable to agree on any feasible plan of reconstructing the Union, and the compromise which it finally offered, known as the "Franklin Plan," was unsatisfactory both to the North and to the South. (See Chittenden, *Peace Convention.*) This Convention adjourned February 27, but its proposed amendments to the Constitution did not receive the approval of Congress. In a few days Lincoln was inaugurated President. In his speech on that occasion he definitely declared his purpose of upholding "the laws of the Union." In other

words, guardedly but positively, he declared that he would enforce the Federal laws in the States which had seceded and would in this manner prevent peaceable secession and the erection of a new government in the South. This threw the Virginia Convention into a very violent debate. Many men declared that the time for secession had come, and viewed Lincoln's inauguration as a declaration of war. In opposition to this view the conservative men in the Convention declared that they would not permit the secession of Virginia until forced to do so, and accordingly, despite Lincoln's speech, would not move for secession. It was during this period that most of the speeches quoted below and selected by Hon. E. P. Cox, of Richmond, were delivered. They show better than any comment can the true views of the people of Virginia.

JOHN GOODE.

Sir, I know not what others may think; I know not what others may do; but for myself I feel a sense of the solemn responsibilities which now rest upon me, and appealing to the Searcher of Hearts, as to the rectitude of my purpose, I hâve no hesitation in declaring, that in my humble opinion, Virginia ought now, promptly and without delay, take her position at the head of the Southern column.

Sir, I believe in my inmost soul that immediate separation from the Northern Confederacy is a peace measure. If we are to believe the organs of Black Republican sentiment in the North, the coercion of the seceded States is to be attempted by the Lincoln Administration. The tone of the Northern press, the declarations of their representative men, the votes and speeches of their Senators and Representatives in Congress, the action of their State Legislatures, the collection of the Federal troops at the Federal Metropolis, the repeated declarations of Mr. Abraham Lincoln himself, the organization and constant drilling of Northern Wide-Awakes, are sufficient in my judgment to convince the most skeptical upon this subject. He may not attempt, sir, to march his Federal myrmidons into a seceded State, but he will attempt to collect the Federal revenue and retake the captured forts. Will our Southern brethren submit to this? Submit! Why sir, it is a slander upon their fair fame and good name to entertain the idea for one solitary moment. You may talk about your alien and sedition laws; your stamp acts; your tax upon tea, and the most abominable tyranny that ever cursed any people upon earth; but I maintain that the most abhorrent tyranny upon earth would be to attempt to wring tribute from the pockets of an unwilling people.

Sir, the union of these States, can never be restored by the power of the sword. It has rested upon entirely different grounds in the past; it has rested upon public opinion and been preserved in the heârts and affections of the people. I say then, that threats of coercion can have no fears for freemen. The blood of the martyrs in every age has been the seed of the Church and if coercion is attempted, the blood of slaughtered patriots would be like the dragons' teeth sown upon the earth,

from which would come forth heroes, full grown and armed, ready to spring into life and rush to battle.

Then, sir, they will attempt, doubtless, the coercion of the seceded States, but they will never attempt to coerce a united South. The strong sometimes are tempted to make war upon the weak; but the strong sit down and reflect long and well before they make war upon the strong. And, sir, when Old Virginia places herself at the head of this Southern column, the other border States will wheel quickly into line and then, in my humble judgment, will the offensive and insulting threats of Northern coercion be abandoned. Then, sir, and not until then will "grim visaged war smooth his wrinkled front" and all again be peace—then may the union of our fathers be re-constructed upon fair, just and honorable principles, and our country move forward once again upon a brilliant career of prosperity and glory.

Sir, what a noble chaplet would be hereafter entwined about the venerable brow of our blessed old mother, if, under the Providence of God, it should be her mission to restore peace to these dissevered, discordant and almost belligerent States; if, in the Providence of God, it should be her destiny to appear at the mouth of the sepulcher itself of this dead Union and say, "Lazarus, come forth!" I say, it would be a noble chaplet. Not only the people of this now distracted land would with one acclaim bless her; the nations of the earth would cry all hail to her and what is more, we have the word of eternal truth itself, which cannot fail that "blessed are the peace-makers for they shall be the elect of Heaven." If there are among those who hear me to-day, who earnestly and ardently desire a re-construction of this Union upon terms of fair, just and honorable principles, I sympathize with them cordially, but I beg them to remember that Virginia can never exert her just and proper influence with the now seceded States until she manifests her determination to cut loose from the Northern aggressor and take sides with the oppressed—until she manifests her determination to share with her gallant Southern sisters the dangers and the perils and the trying ordeal through which they are now passing. Why, sir, when they sent their Ambassadors here to defer to Virginia, to ask her to take the lead and say what was best to be done for the common good, and when Old Virginia cooly spurned the offer of sympathy and turned away from her children, it

was but natural that these Southern States should feel some temporary distrust towards the Old Mother. Was it not natural? They did feel it. They felt it properly. But when Virginia shall move into the line and proclaim to the world that, come weal or come woe, her destinies are indissolubly linked with her Sister States of the South; when she shall take this position, and this unnatural strife shall be terminated hereafter; when Virginia invites the Southern Sisters to come back into the government which she has helped to reconstruct—they will come, sir, I hope not as my friend from Rockbridge (Mr. Moore) supposed on yesterday; they will come not like the prodigal son of old repenting in sackcloth and ashes; for what they have done—but they will come in the proud consciousness of virtue and right; they will come back to the Old Mother in the touching and beautiful language of Ruth to Naomi: "Entreat me not to leave thee or to return from following after thee, for whither thou goest I will go, and where thou lodgest, I will lodge; thy people shall be my people, and thy God my God. Where thou diest will I die, and there will I be buried."

But if in this, sir, I shall be mistaken: If Virginia cannot reconstruct the Union, Virginia can secure a peaceable separation. Sir, if we cannot live together with our Northern confederates, we have a right to be permitted to separate; we have a right surely to depart in peace. This would be a poor boon and Virginia, by a prompt and decided action, in my humble judgment, would either restore the Union or secure a peaceable and final separation; she would have a right to say, sir, as was said by one of old, "Let there be no contention I pray thee between *thou* and me—thou wilt go to the right, and I will go to the left."

But sir, I say it is no longer a question of Union or disunion. The question is, will we go North or will we go South? Every consideration of interest, of honor, of patriotism—every impulse of the heart prompts the Virginia people to cast their destiny with their sister States of the South. Sir, more than 300,000 of those Southern people have gone from Virginia. They claim Virginia as their mother; they are our brethren, our kindred, bone of our bone, flesh of our flesh. Can Virginia desert them now? Can Virginia desert them in their hour of greatest need? As well sir, might I ask if a mother could forget and desert her own offspring? *Speech in Convention, February* 26, 1861—*Richmon Enquirer*, February 27, 1861.

GEN. T. J. (STONEWALL) JACKSON:

"The time may come when your State may need your services; and if that time does come, then draw your swords and throw away the scabbards." Speech to the cadets of the Virginia Military Institute; Henderson: *Life of Jackson*, Vol. I., p. 100.

ALBEMARLE:

"If we—the advocates of immediate secession—could have carried our wishes, we would have pressed the lightning into our service * * * * * * * * * We recognize that we have not now, nor have we had, the power to control this Convention. We have indicated, however, weeks ago, what the true policy of Virginia was." J. P. Holcombe, delegate[19] from Albemarle County, in Convention, April 13, 1861—*Richmond Examiner*, April 16th, 1861.

ALEXANDRIA:

"If then, Mr. President, these efforts on the part of Virginia for conciliation and harmony shall fail, if the Northern States shall reject the overtures of peace thus tendered, and shall attempt to inaugurate the policy indicated by the Chicago platform, if then, in the battle's wreck and midnight of storms which shall follow, this Union, the Rome of our hearts and affections. with all their storied memories of the pictured past

"Shall in Tiber melt,
And the vast range of its wide Empire fall"

we shall be cheered by the consoling reflection, that we, at least

[19]James P. Holcombe was one of the leading lawyers of Virginia, and a famous teacher of his chosen profession. Born in Lynchburg, September 25, 1820, he was chosen assistant to Professor John B. Minor in 1852 and, two years later, was appointed to a full professorship. Retiring from the University in 1861, he was elected to the Confederate Congress and served until 1863. After the war he opened a school for boys in Bedford County and later removed it to Capon Springs, West Virginia. He died August 22, 1873. In addition to being the author of a large number of legal and historical publications, Holcombe was an orator of recognized ability, and ranked with the leading men of his generation in the State.

are innocent. Speech of G. W. Brent,[20] delegate from Alexandria, in Convention, March 8, 1861—*Richmond Enquirer*, March 9, 1861.

CULPEPER:

"This Convention has witnessed with deep concern the failure on the part of the authorities of the Federal Government and a majority of the non-slave holding State Governments, to co-operate efficiently with the authorities of this Commonwealth in an earnest effort to restore the Federal Union on terms consistent with the security of the people of the slave holding States." Extract from resolution offered by Hon. James Barbour,[21] delegate from Culpeper County, in Convention, March 9, 1861—*Richmond Enquirer*, March 11, 1861.

FAUQUIER:

"Virginia would never consent to become a party to a war on her Southern sisters; they had adopted a resolution to that effect, and he hoped that it was not merely words, but an emphatic declaration of intention, and that coercion under no circumstances would be tolerated. He was free to say that so soon as he knew the Federal Government meditated war, he was ready to vote for secession; but it was his opinion that the Federal authorities did not meditate aggressive war." Speech of Hon. R. E. Scott,[22] delegate from Fauquier County, in Convention, April 8th, 1861—*Richmond Examiner*, April 9, 1861.

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[20]George W. Brent was a delegate whose views are very important, since he was chosen to the Convention as a Union man and was strongly opposed to secession except as a last alternative. His constituents, it must be remembered, were those who would suffer first from Federal invasion, yet, while anxious to preserve the Union, they believed that Virginia must maintain her dignity and do her part in the defense of the South.

[21]James Barbour, of Culpeper, was a descendant of a family long distinguished in public life and represented a people whose history and traditions gave them weight in the affairs of the State.

[22]Robert E. Scott was regarded by many as the real leader of the conservative element in the Virginia Convention. Long in public life and familiar with the conditions and opinions throughout the State, he was loath to vote for secession until Lincoln called for troops. This action convinced him that Virginia must join the South.

FRANKLIN:

"Abraham Lincoln, President of the United States, having set aside the Constitution and laws, and subverted the government of the said United States, and established in lieu thereof an usurped government founded upon the worst principles of tyranny, the undersigned has therefore determined to sign the Ordinance of Secession adopted by this Convention on the 17th day of April last, with the intention of sustaining the liberties, independence and unity of the State of Virginia against the said Abraham Lincoln, his aiders and abettors and with no hope or desire for a reconstruction of the old Union in any manner that shall unite the people of Virginia with the people of the non-slaveholding States of the North." (Signed) "Jubal A. Early."[23] Brenaman: *History of Virginia Conventions*, p. 63.

BEDFORD:

"Mr. President, for myself, though I know no evil more horrible than Civil War, I am prepared to accept any alternative for Virginia, rather than submission, humiliation and disgrace." Speech of John Goode,[24] in Convention, February 26, 1861—*Richmond Enquirer*, February 27, 1861.

"But, sir, in the meantime, if resistance should become necessary, if it so happened that the State of Virginia should be invaded; that her rights should be crippled in any way; that any attempt should be made to coerce her by marching Federal

[23]Jubal A. Early, later Lieutenant-General in the Confederate States Army and a well known figure for three generations in Virginia, was elected to the Convention as a Union man and bitterly opposed secession until Lincoln called for troops. The views here expressed and appended by him to his signature to the Ordinance of Secession, state in concise form the opinions held by many regarding secession.

[24]John Goode, of Bedford, was one of the younger men in the Secession Convention and was generally regarded as an ardent advocate of secession. Born in Bedford, May 27, 1829, he was graduated from Emory and Henry College, studied law, was admitted to the bar in 1851 and was long prominent in Virginia affairs. He served in the Confederate Congress during the whole course of the war and was president of the Virginia Convention of 1901. His brief statement here shows how much even the most ardent secessionists were willing to concede for the preservation of the Union.

troops through the State—I say, sir, should these things be attempted, I will stand by you, sir, and stand by you to the last!" Speech of Wm. L. Goggin,[25] delegate from Bedford County, in Convention, February 27, 1861—*Richmond Enquirer*, February 28, 1861.

CHESTERFIELD:

"Permit me again, gentlemen, to return you my heartfelt thanks for the honor you have conferred upon me, and allow me to express a hope that your deliberations will terminate in honor to yourselves and this good old Commonwealth, and the conciliation of this great Republic." Speech of James H. Cox of Chesterfield,[26] in accepting Temporary Chairmanship of the Convention, February 13, 1861—*Richmond Enquirer*, February 14, 1861.

LOUISA:

"We were obliged to consider the fearful question forced upon us. Then we did consider the question of secession. Then the ties which bound our hearts with as strong and enduring bonds as yours could be bound to the Union, were torn one by one by your own hands, and we were forced calmly, deliberately, and conclusively, to the conclusion that the only remedy to which we could look for a redress of our grievances, was secession, and secession alone." Speech of W. M. Ambler, Louisa delegate,

[25]William L. Goggin, who served with Mr. Goode as delegate from Bedford in the Convention, was as ardent a Whig as his colleague was a Democrat. Goggin was born in Bedford May 31, 1807, studied law at Winchester, was admitted to the bar in 1828 and came to the Virginia General Assembly in 1836. He served six years in Congress and in 1859 was an unsuccessful candidate for governor on the Whig ticket. He died in Richmond on January 5, 1876, after a memorable career. It is significant that Goggin came to the Convention as a Union man, but joined the ranks of the secessionist party when Lincoln declared his policy in his inaugural.

[26]This speech was delivered on the day the Virginia Convention assembled and showed how anxious was this ardent friend of the South to reconcile the two sections.

in Convention, March 8, 1861—*Richmond Enquirer*, March 9, 1861.[27]

MIDDLESEX AND MATTHEWS:

"If that day shall come—which God in his mercy avert—when you and I will have to be exiled or yield to this horde of Northern Vandals, I re-echo, sir, (alluding to Mr. Preston) your eloquent sentiment. I will not be exiled, I will not be a second Marius to go off amid the ruins of some Carthage, and there to weep away existence in bitter agony over the memory of lost and past glories, but, like you, sir, will stand at my post and fall as a true man—and when you shall sleep in your own green meadow, beneath your own native mountain, I will stand on the shores of my own native Rappahannock, and there will I fall and the ripple of its waves shall be the requiem that will soothe my repose till the morning of the resurrection. Virginia I will never forsake. I will die in Virginia, and trust to God and to posterity to vindicate what is just and what is right." Speech of R. L. Montague,[28] delegate of Matthews and Middlesex, in Convention, April 1, 1861—*Richmond Enquirer*, April 3, 1861.

MONTGOMERY:

"The reason why I offered that resolution was because it is a copy of the precise phrase of the 8th resolution in the report, that has met so hearty an approval in this House all day long; that the people of Virginia will never consent that the Federal power, which is in part their power, shall be used for the purpose of coercion. I made that as the ground upon which the committee might present themselves to the President and say: "This is the temper of Virginia and in that temper we come in peace." Speech of Hon. William Ballard Preston,[29] delegate

[27]Ambler was a secessionist of the advanced type, yet his utterances were conservative and he only committed himself to secession when Lincoln's inaugural defined his policy.

[28]See note page 27.

[29]William Ballard Preston, who introduced the Ordinance of Secession, was elected to the Convention from Montgomery County as a Union man and sternly opposed secession until Lincoln's call for troops. He had a long

from Montgomery County, in Convention, April 9, 1861—*Richmond Enquirer*, April 11, 1861.

PRINCE EDWARD:

"Mr. President, what does it mean? That numbers are to decide and that the minority is to submit? Is it the doctrine of Rob Roy?

> 'That he shall take who has the power
> And he shall hold who can?'

I ask is it possible that we shall sit here debating whether we shall pass a resolution opposing coercion?"[30] Speech of Hon. John T. Thornton, [31] delegate from Prince Edward County, in Convention, March 5, 1861—*Richmond Enquirer*, March 7, 1861.

PRINCESS ANNE:

"If he wants to preserve peace, so do I; if he wants to prevent war, he had better not delay; if he wants to preserve the Union in the integrity of the constitution of the United States, so do I. I hate the hater that hates the Union. I tell him that if he wants to save the Union, and restore it, he had better do it

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and honorable career in public life, representing his district in Congress 1847-49 and serving as Secretary of the Navy under President Tyler, 1849-50. He was later a member of the Confederate Congress and was regarded as one of the most brilliant orators of the State.

[30]The term "coercion" needs a word of explanation—since it occurs many times in the debates of the Virginia Convention and in the resolutions of that time. The Federal policy of "coercion," in a word, was understood to be the determined purpose of the Administration to prevent a peaceful secession of the Southern States and, if need be, to force—that is to coerce—them to remain in the Union, or to return to the Union after they had passed acts of secession. To this policy, of course, the Virginia Legislature and Convention were unalterably opposed, believing as they did that the right of secession was vested in the sovereign power of the State and was admitted in the Constitution of the United States.

[31]Thornton was an ardent secessionist and a very brilliant orator. His speech on April 16 in secret session was regarded as one of the greatest efforts of the Convention.

quickly, and the way to do it rests, now, now, now, upon the shoulders of Virginia. Let her take a stand on her ultimatum that not one right of hers should be impaired; that every right of hers should be protected; that those who assail them, assail them at the peril of the sword, sink or swim, live or die." Speech of Henry A. Wise, [32] delegate from Princess Anne County, in Convention, February 15, 1861—*Richmond Enquirer*, February 16, 1861.

CITY OF RICHMOND:

"If force be employed against the States who have gone out of the Union, it should and must be resisted. Force is not among the means of composing the controversy. It is not appropriate or adequate to any legitimate or desirable end. Should the government perversely attempt it, the fable of shearing the wolf would fitly illustrate the folly and wantonness of her counsels. The States should be brought back, if haply they may, by concessions alone." Extract from card of Wm. H. MacFarland in reference to his candidacy for convention—*Richmond Enquirer*, January 26, 1861.

"To the doctrine of coercion I am unalterably opposed, because no government which is sustained by force can be the government of a free, republican people." Extract from card of Marmaduke Johnson, [33] a delegate elect from the city of Richmond—*Richmond Dispatch*, January 26, 1861.

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[32]Henry A. Wise is too well known to need notation in this Annual. For twenty years and more he was continually before the people of Virginia, and by his rare personality, great ability and frenzied oratory, was known throughout the country. Wise was born in Accomac County, December 3, 1806, graduated at Washington College, Pennsylvania, studied law and was admitted to the bar in 1828. He entered politics in a few years and served in Congress from 1833 to 1844, resigning in the latter year to accept a position as Minister to Brazil. In 1855 he was elected Governor of Virginia after a memorable campaign, and as chief executive of the State was in charge of the military arrangements at the time of the John Brown Raid. Elected to the Secession Convention he adopted a policy of "fighting in the Union," but was a redoubtable champion of Southern rights. He served later as Brigadier-General of the Confederate Army and commanded a fine brigade.

[33]These two cards were written by conservative men who appealed to the people of Richmond for election to the Convention on the platforms here

WYTHE COUNTY:

"That in the unanimous opinion of this meeting, Virginia will not submit to coercion on the part of the Federal Government of any seceding State and we regard the collection of the revenue claimed to be due from the seceding States, by force, and the possession of the forts in said States, by force of arms, as coercion, and we will resist, to the last extremity, any coercive policy to which the Federal Administration may choose to resort in respect to any or all of these matters." Extract from resolutions adopted at a meeting of citizens of Wythe County, March 11, 1861, presented to Convention by Hon. Robert C. Kent,[34] delegate from Wythe, March 14, 1861—*Richmond Enquirer*, March 15, 1861.

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outlined. They were both elected and upheld the position originally assumed by them. Both threw in their lot with the South when Lincoln declared war on that section.

[34] Robert C. Kent, of Wythe, was for many years a leader in politics in the Southwest and served at one time as Lieutenant-Governor of Virginia.

OLD BLACK JOE.

Gone are the days when my heart was young and gay;
Gone are my friends from the cotton fields away;
Gone from the earth to a better land I know,
I hear their gentle voices calling "Old Black Joe!"

Chorus.

I'm coming, I'm coming, For my head is bending low;
I hear those gentle voices calling, "Old Black Joe!"

Why do I weep when my heart should feel no pain?
Why do I sigh that my friends come not again?
Grieving for forms now departed long ago,
I hear their gentle voices calling, "Old Black Joe!"

Where are the hearts once so happy and so free?
The children so dear that I held upon my knee?
Gone to the shore where my soul has longed to go,
I hear their gentle voices calling, "Old Black Joe!"

FORT SUMTER.[35]

HON. GEO. L. CHRISTIAN.

Fort Sumter, as is well known, is the principal fort near the center of the harbor of Charleston, South Carolina. It was built by the United States Government upon property ceded to it by the State of South Carolina, to be held in trust, primarily for the defence of the City of Charleston and its harbor; and, under the power of what is known as Eminent Domain, the State of South Carolina had the right to demand the recession of that property whenever it deemed it necessary for its use or protection, upon the condition of repaying to the Government of the United States what it had expended in the erection of that fort.

South Carolina seceded from the Federal Union on the 20th of December, 1860. Within a few days after the Convention passed the ordinance of secession, commissioners were sent by the State to the Federal Government at Washington offering to pay the Federal Government for whatever it had expended in the erection of Fort Sumter, and generally to settle the financial affairs between that State and the Federal Government peaceably and on a fair and equitable basis.

The administration of James Buchanan, then the President, whilst declining to treat with these commissioners, on the ground that it did not recognize the right of a State to withdraw from the Union, also took the further position that the Federal Government had no power under the constitution to attempt to coerce a

[35] The war was about to be precipitated, and the exact significance of the attack on Sumter, as outlined here, should be kept in mind. Knowing that the right of secession was maintained in the Constitution, and in a long series of public acts and official declarations, Virginia was conscious that the slavery question was not the real issue of the war. The State, moreover, bound to the Union by many ties of blood and sacrifice, had expressed her determination not to secede so long as there was hope of restoring the Union and so long as no attack was made on the South by the Federal Administration. Slowly through the weeks, the prospect of restoring the Union had grown dimmer, but Virginia still waited and hoped. Finally, the Federal Administration, under the guise of provisioning Fort Sumter, began aggressive action against the South. This led to the attack on Fort Sumter, as veritable an act of self-defense as history records.

State which had so withdrawn. Up to the night of December 26, 1860, Fort Sumter was not garrisoned by troops, and it was claimed on the part of the representatives of the State of South Carolina that President Buchanan had entered into a compact with them, on December 9, 1860, whereby the garrison of Federal troops then occupying Fort Moultrie opposite Fort Sumter, under Major Robert Anderson, should remain unchanged as to the "military *status*" then in existence.

On the night of December 26, 1860, Major Anderson, without notice to the authorities of the State of South Carolina, which had then seceded, evacuated Fort Moultrie, spiked its guns and took possession of and occupied Fort Sumter, which was a much stronger and larger fort. This action of Major Anderson greatly irritated the people and the authorities of South Carolina, who regarded it as a violation of the compact between them and Mr. Buchanan, that "no reinforcements should be sent into those forts and their military *status* should remain as at present."

Upon the evacuation of Fort Moultrie by Major Anderson and his troops, that fort as well as Sullivan's Island and Castle Pinckney, all three of which are fortifications for the defence of the harbor of Charleston, were occupied by troops of the States of South Carolina and considerably strengthened.

Early in January, 1861, the Federal Government sent a war vessel, the "Star of the West," with troops and provisions, for the purpose of reinforcing and supplying Fort Sumter. When this war vessel attempted to enter the port of Charleston, she was fired upon by the batteries manned by South Carolina troops in Fort Moultrie, whereupon she retired.

There was necessarily great irritation on the part of the people of South Carolina, growing out of the fact that Fort Sumter, which had been built primarily for the protection of the people of that State, remained in possession of what they regarded as foreign and hostile hands.

The secession of South Carolina, on December 20, 1860, was followed by that of six other Southern States during the month of January, 1861, up to February 4th, 1861, and on the latter date these seven Southern States, viz., South Carolina, Florida, Alabama, Georgia, Louisiana, Mississippi and Texas, sent their representatives to Montgomery, Alabama, and inaugurated the government of the "Confederate States of America," with

Montgomery as its capital. These representatives, as they were authorized by their respective States to do, formed a provisional government and adopted a constitution similar in all essential respects to the government and constitution of the United States, and they elected Jefferson Davis of Mississippi as President, and Alexander H. Stephens of Georgia as Vice-President of the Confederate States of America.

It is apparent from the resolutions of the legislatures and conventions of these several States before, and in their several acts of, secession, and from the acts of the new confederation at Montgomery, as well as from the inaugural address of President Davis, that it was the earnest desire of the people of the South, and of their representatives at Montgomery, that the withdrawal of these States from the Federal Government should be accomplished peacefully, and to carry into effect the organization and establishment of their new government peacefully and harmoniously in all respects.

Among the first acts of the Confederate Government was to send three commissioners to Washington to treat with the representatives of the Federal Government "with a view to a speedy adjustment of all questions growing out of this political separation upon such terms of amity and good-will as the respective interests, geographical contiguity and future welfare of the two nations may render necessary."

The administration of Abraham Lincoln, who had been elected President of the United States at the election held in November, 1860, solely by the votes of the people of the northern States, and by a vote of nearly a million less than was cast for the other three candidates, viz., John Bell of Tennessee, John C. Breckinridge of Kentucky, and Stephen A. Douglas of Illinois, began on March 4, 1861. On March 12, 1861, two of these commissioners sent by the Confederate Government, having reached Washington, sent a communication to Mr. William H. Seward, the Secretary of State of the Lincoln administration, requesting of him an interview for the adjustment, on "terms of amity and good-will," of the affairs between the Federal Government and that of the Confederate States of America. Mr. Seward declined to receive the commissioners, or to treat with them directly at all, but he did treat with them indirectly through Justices Nelson of New York and Campbell of Alabama,

members of the Supreme Court of the United States. These commissioners from the Government of the Confederate States were especially desirous of having the troops then occupying Fort Sumter in Charleston harbor and Fort Pickens in the harbor of Pensacola, Florida, withdrawn—those in the other forts lying within the limits of the seceded States having been already withdrawn.

Mr. Seward, it seems, assured Justices Nelson and Campbell that Fort Sumter would be evacuated within a very short period of time; indeed, he said this would be done before Judge Campbell could write a letter to President Davis stating this fact and receive a reply thereto. Mr. Seward, through the intervention of Judge Campbell, kept these Confederate commissioners waiting in suspense at Washington from March 12th to April 8th, 1861, without giving them any definite reply to their request that Fort Sumter should be evacuated; but during that interval he sent them assurances, with the knowledge of Mr. Lincoln, that Fort Sumter would be evacuated, and as late as April 7th, 1861, he replied to a letter from Judge Campbell—

"Faith as to Sumter fully kept; wait and see."

During the interval of twenty-seven days while the commissioners were kept in waiting at Washington for an answer to their request for the evacuation of Fort Sumter, the President, Mr. Lincoln, sent two emissaries, one a Mr. Fox, afterwards Assistant Secretary of the Navy, and the other Colonel Ward H. Lamon, a close and confidential friend of Mr. Lincoln, to Charleston, and these two men were allowed to visit Major Anderson in Fort Sumter upon their solemn pledges, given to Governor Pickens of South Carolina, that nothing hostile to the Confederate Government, or the State of South Carolina, should take place between them and Major Anderson. What was done, we do not undertake to state, but we do know that during the time Mr. Seward kept the Confederate commissioners in suspense under promises to them, made through Judges Campbell and Nelson, that Fort Sumter would be evacuated, and which he did, as he states, with the knowledge and approval of President Lincoln, a "relief squadron," with eleven ships carrying 285 guns and 2,400 men was equipped and sent out from New

York and Norfolk with orders to reinforce Fort Sumter, peaceably if permitted, "but forcibly if they must."

On the 11th of April, 1861, when this relief squadron had reached the offing of Charleston harbor, General G. T. Beauregard, commanding the Confederate forces at Charleston, demanded of Major Robert Anderson the surrender or evacuation of Fort Sumter. This demand Major Anderson refused in writing to comply with, but added verbally to the messenger who bore his reply to General Beauregard, "I will await the first shot, and if you do not batter us to pieces, we will be starved out in a few days."

Major Anderson's written refusal, as well as the verbal remark above quoted, were forthwith communicated by General Beauregard to the Confederate Secretary of War at Montgomery, who immediately returned the following response:

> "Do not desire needlessly to bombard Fort Sumter. If Major Anderson will state the time at which, as indicated by himself, he will evacuate, and agree that in the meantime he will not use his guns against us, unless ours should be employed against Fort Sumter, you are authorized thus to avoid the effusion of blood. If this, or its equivalent, be refused, reduce the Fort as your judgment decides most practicable."

These directions from the Confederate Secretary of War were communicated by General Beauregard to Major Anderson, but he refused to consent to any such arrangement. The "Relief Squadron" had by this time arrived at the mouth of Charleston harbor, and General Beauregard, seeing that his forces were threatened with an attack both in their front and rear, at 4:30 o'clock on the morning of the 12th of April, 1861, opened fire on Fort Sumter, which fire was returned. The bombardment lasted for thirty-two hours, when at last Major Anderson agreed to capitulate, and the entire garrison, numbering eighty in all, officers and men, were permitted to march out with their colors and music and to salute their flag with fifty guns. All private, as well as company property, was also allowed to be taken by those to whom it belonged. Providentially, not a life was lost in this memorable combat.

Because of the fact that the Confederates fired the first gun in their attempt to reduce Fort Sumter, it is claimed by the people of the North that they thereby inaugurated the war

which then ensued between the North and the South. Mr. Hallam, in his constitutional history of England, says:

> "The aggressor in a war" (*i. e.*, he who begins it) "is not the first who uses force, but the first who renders force necessary."

We think this a perfectly sound principle, and that it is demonstrable by Northern testimony of the highest character that the Government of the United States, under Abraham Lincoln as its President, was the inaugurator of the war between the North and the South, and that the aggressions begun by the North, by the Federal Government and Mr. Lincoln, necessitated the firing on Fort Sumter by the Confederate forces under General Beauregard. In other words, that when the so-called "Relief Squadron," sent out by Mr. Lincoln, started from New York and Norfolk, with orders to reinforce Sumter, "forcibly if necessary," then the *first blow* was, in effect, if not in reality, struck inaugurating the war.

Senator Stephen A. Douglas of Illinois, who could never have been accused of sympathizing with the South, said:

> "I take it for granted that whoever permanently holds Charleston and South Carolina is entitled to the possession of Fort Sumter."

And, of course, this was the view of the people and authorities of the Confederate States.

For many years prior to the election of Mr. Lincoln, the people of the North had been guilty of flagrant violations of the Fugitive Slave Law. Fourteen Northern States had gone to the length of nullification by the passage of what were known as "personal liberty acts", and had refused not only to comply with the express terms of the constitution of the United States, but to obey the mandate of the Supreme Court in the construction of that instrument.

General John A. Logan, afterwards a Major-General in the Federal Army, a United States Senator and a candidate for the vice-presidency on the Republican ticket, said on the 5th of January, 1861:

> "The Abolitionists of the North have constantly warred on the Southern institutions, and by their denunciations and lawless acts * * have driven the people of the Southern States to a sleepless vigilance for the protection of their property and the protection of their rights."

The "Albany Argus" of November 10th, 1860, said:

> "We sympathize with and justify the South. * * Their rights have been invaded to the extreme limit possible within the forms of the Constitution, and beyond that limit, and rightly impelled them to resort to revolution and a separation from the Union."

The "Rochester Union" a few days later said:

> "The North has led the way, and for a period has been the sole offender and aggressor."

Mr. Williams, a Massachusetts writer, says:

> "The South was invaded and a war of subjugation, destined to be the most gigantic which the world has ever seen, *was begun by the Federal Government against the seceded States.*"

And Mr. Lincoln himself said:

> "After Boston, Chicago was the chief instrument in bringing this war on the country."

And these are only a few of the many statements which could be cited from Northern sources to the same effect. On the other hand, as we have stated, the whole contemporaneous history of the Confederate Government shows, in the most satisfactory manner, that it longed for peace, and was willing and anxious to make all reasonable sacrifices to attain that end.

The "New York Herald" of April 7th, 1861, says:

> "President Davis is determined that this administration (Lincoln's) shall not place him in a false position by making it appear to the world that the South was the aggressor. THIS HAS BEEN, AND STILL IS, THE POLICY OF MR. LINCOLN. It will not be successful. Unless Mr. Lincoln makes the first demonstration and attack, President Davis says there will be no collision or blood-shed. With the Lincoln administration, therefore, rests the responsibility of precipitating a collision and the fearful evils of protracted civil war."

THE ACT OF SECESSION.

CALLING OUT THE MILITIA.

Whereas the laws of the United States have been for some time past, and now are opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law:

Now, therefore, I, Abraham Lincoln, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth, the militia of the several States of the Union, to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the laws to be duly executed.

The details for this object will be immediately communicated to the State authorities through the War Department.

I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union, and the perpetuity of popular government; and to redress wrongs already long enough endured.

I deem it proper to say that the first service assigned to the forces hereby called forth will probably be to repossess the forts, places, and property which have been seized from the Union; and in every event the utmost care will be observed, consistent with the objects aforesaid, to avoid any devastation, any destruction of, or interference with property, or any disturbance of peaceful citizens in any part of the country.

And I hereby command the persons composing the combinations aforesaid, to disperse and retire peacefully to their respective abodes within twenty days from date.

Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. Senators and Representatives are therefore summoned to assemble at their respective chambers at twelve o'clock noon,

on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 15th day of April, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States the eighty-fifth.

By the President:

ABRAHAM LINCOLN.[36]

WM. H. SEWARD, Secretary of State.

Abraham Lincoln's *Complete Works*, edited by John G. Nicolay and John Hay. 1907. v. 2. p. 34.

GOVERNOR LETCHER'S REPLY TO THE SECRETARY OF WAR IN REFERENCE TO PRESIDENT LINCOLN'S CALL FOR TROOPS WITH WHICH TO CONQUER THE SECEDING STATES.

"I have only to say that the militia of Virginia will not be furnished to the powers at Washington for any such use or purpose as they have in view. Your object is to subjugate the Southern States and the requisition made upon me for such an object—an object in my judgment not within the purview of

[36]The attack on Fort Sumter described by Judge Christian removed the last hope of peaceable solution. Virginia had done all in her power and at the very time of the attack on Sumter was sending her representatives to Washington to seek an interview with President Lincoln in the hope of getting some assurance that the Federal Administration would not precipitate hostilities. In the midst of wild demonstrations of popular sympathy with the South, in Richmond and elsewhere, the Virginia Convention exhausted the last means of averting hostilities. When, however, Lincoln called out the militia and demanded that Virginia send troops to attack her sister States of the South, the Commonwealth could no longer hesitate. The proclamation quoted was followed by Governor Letcher's reply and on April 17, by the Ordinance of Secession. Virginia had no other course then to pursue. As much as she loved the Union, as much as she was willing to sacrifice for it, she could not and would not join hands with a hostile North in attacking the Southern States which had exercised a right reserved by the Constitution, maintained through the years and upheld by Virginia herself.

the Constitution or of the act of 1795, will not be complied with. You have chosen to inaugurate civil war; and having done so, we will meet you in a spirit as determined as the Administration has exhibited toward the South."—*American Conflict*, Greeley, v. 1, p. 459.

AN ORDINANCE to repeal the ratification of the Constitution of the United States of America, by the State of Virginia, and to resume all the rights and powers granted under said Constitution.—[April 17, 1861.]

The people of Virginia, in the ratification of the Constitution of the United States of America, adopted by them in Convention on the 25th day of June, in the year of our Lord one thousand seven hundred and eighty-eight, having declared that the powers granted under the said Constitution were derived from the people of the United States, and might be resumed whensoever the same should be perverted to their injury and oppression, and the Federal Government having perverted said powers, not only to the injury of the people of Virginia, but to the oppression of the Southern slaveholding States,

Now, therefore, we, the people of Virginia, do declare and ordain, that the Ordinance adopted by the people of this State in Convention on the twenty-fifth day of June in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and all acts of the General Assembly of this State ratifying or adopting amendments to said Constitution, are hereby repealed and abrogated, that the union between the State of Virginia and the other States under the Constitution, aforesaid, is hereby dissolved, and that the State of Virginia is in full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State, and they do further declare the said Constitution of the United States of America no longer binding on any of the citizens of the State.

This Ordinance shall take effect and be an Act of this day, when ratified by a majority of the votes of the people cast at a poll to be taken thereon, on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted.

Done in Convention in the City of Richmond, on the seventeenth day of April, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the Commonwealth of Virginia.[37]

W. M. AMBLER*
E. M. ARMSTRONG
WM. B. ASTON*
JOHN B. BALDWIN
GEORGE BAYLOR
MIERS W. FISHER*
WM. HAMILTON MACFARLAND*
HUGH M. NELSON
JOHNSON ORRICK*
LOGAN OSBURN
WM. C. PARKS*
WM. BALLARD PRESTON*
WM. CAMPBELL SCOTT*
JNO. M. SPEED*
JOHN T. THORNTON*
SAM'L WOODS*
JNO. J. KINDRED*
HENRY L. GILLESPIE*
F. M. CABELL*
S. L. GRAHAM*
SAM'L M. GARLAND*
GEORGE W. RICHARDSON*
HENRY A. WISE*
J. T. MARTIN
ALFRED M. BARBOUR
JAS. BARBOUR*
EDW'D. N. CHAMBERS
GEO. BLOW, JR.*
JAMES BOISSEAU*
PETER B. BORST*
WOOD BOULDIN*

[37]The vote on the Ordinance of Secession was taken on the afternoon of April 17 at 4:15; eighty-eight votes were registered in the affirmative and fifty-five in the negative. Twenty-one of those who did not vote for the Ordinance at the time of its adoption were later permitted to sign it. Those who voted originally in the affirmative are marked with an asterisk.

WM. W. BOYD*
JAMES C. BRUCE*
BENJAMIN W. BYRNE
THOS. STANHOPE FLOURNOY*
WILLIAM W. FORBES*
JOHN T. SEAWELL*
GEO. P. TAYLOE*
WM. M. TREDWAY*
BEN. F. WYSOR*
HARVEY DESKINS*
GEO. W. HULL
W. T. SUTHERLIN*
JAS. W. HOGE
ROBERT C. KENT*
R. E. GRANT
RICHARD H. COX*
STEPHEN A. MORGAN
JAMES MARSHALL
A. T. CAPERTON*
THOS. BRANCH*
W. P. CECIL*
JOHN A. CAMPBELL*
JOHN R. CHAMBLISS, JR.
SAM'L A. COFFMAN*
R. M. CONN*
C. B. CONRAD
ROBT. Y. CONRAD
JOHN CRITCHER
SAM'L PRICE
TIMOTHY RIVES*
CHARLES R. SLAUGHTER*
ALEXR. H. H. STUART
ROBT. H. TURNER*
JAMES H. COX*.
SAMUEL G. STAPLES*
JAMES W. SHEFFEY*
GEORGE W. RANDOLPH*
JAMES LAWSON*
ANDREW PARKS
THOS. MASLIN

EDW. D. MCGUIRE
JOHN A. ROBINSON
C. J. P. CRESAP
JAMES B. DORMAN*
JUBAL A. EARLY
NAPOLEON B. FRENCH*
COLBERT C. FUGATE
PEYTON GRAVELY
FENDALL GREGORY, JR.*
ADDISON HALL
CYRUS HALL*
F. B. MILLER*
HORATIO G. MOFFETT*
DAVID PUGH
PETER SAUNDERS, SR.
V. W. SOUTHALL*
JOHN TYLER*
RO. H. WHITFIELD*
JAS. G. HOLLADY
HENRY H. MASTERS
JEREMIAH MORTON*
THOMAS F. GOODE*
GEORGE WM. BRENT
WM. H. B. CUSTIS
W. P. COOPER
ROBT. E. COWAN
WM. L. GOGGIN*
JOHN GOODE, JR.*
FIELDEN L. HALE*
JAMES P. HOLCOMBE*
JNO. N. HUGHES*
LEWIS D. ISBELL*
WALTER D. LEAKE*
CHAS. K. MALLORY*
J. B. MALLORY*
JNO. L. MARYE*
R. E. SCOTT*
J. D. SHARP
JAMES MAGRUDER STRANGE*
WMS. C. WICKHAM

WM. H. DULANEY
JOHN ARMISTEAD CARTER
M. R. H. GARNETT
MANILIUS CHAPMAN*
G. W. BERLIN
THOMAS SITLINGTON
FRANKLIN P. TURNER*
J. M. HECK
EPPA HUNTON*
JOHN JANNEY

Presdt. Convention and delegate from Loudoun.

LEONARD S. HALL*
ALLEN C. HAMMOND
LEWIS E. HARVIE*
ALPHEUS F. HAYMOND
PETER C. JOHNSON*
JOHN R. KILBY
PAUL MCNEIL
ROBERT L. MONTAGUE*
EDMUND TAYLOR MORRIS*
S. MCD. MOORE
JOHN Q. MARR
WM. J. NEBLETT*
EDWARD WALLER*
SAM'L C. WILLIAMS*
MARMADUKE JOHNSON*
WM. WHITE
ALGERNON S. GRAY
JAS. V. BROOKE
ANGUS R. BLAKEY*
JNO. ECHOLS*
BURWELL SPURLOCK
J. B. YOUNG

VIRGINIA CHOOSES HER LEADER.[38]

Executive Department, April 22, 1861.

Gentlemen of the Convention:—I hereby nominate, and with your advice and consent, appoint Colonel Robert E. Lee, to the office of Commander of the Military and Naval forces of the State of Virginia, with the rank of Major General. Talent, experience and devotion to the interests of Virginia, fit him in an eminent degree for the exalted position he is nominated to fill.

It affords me pleasure to assure you upon undoubted testimony, that his resignation as an officer of the Army of the United States, was determined upon, before the passage of your ordinance creating the office, which it is now proposed to fill. I trust the nomination will meet your approbation, and that it will be your pleasure to receive him in open Convention on tomorrow.

Respectfully,

JOHN LETCHER.

[VIRGINIA CONVENTION, APRIL 23, 1861, RICHMOND].

Major General Lee entered, leaning on the arm of Mr. Johnson of Richmond, chairman of the committee appointed to conduct the distinguished military chief to the Hall. As they reached the main aisle, Mr. Johnson said: "Mr. President, I have the honor to present to you and to the Convention, Major General Lee."

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[38] The last step in the secession of Virginia remained to be taken. Knowing that she would be the battle ground and determined to do her utmost for the defense of the South, the State began to prepare for war. Her militia had long been in training and some plans of self defense had already been formed, but it was not until the Ordinance of Secession was adopted that Virginia took active steps. She needed most of all a leader, and when Governor John Letcher, in the communication here quoted, nominated Colonel Robert E. Lee, the people felt that a proper leader had been chosen. General Lee's appointment at once followed his nomination; on the next day he was formally introduced to the Convention. The proceedings on that memorable occasion are quoted in full.

The President—"Major General Lee—In the name of the people of your native State, here represented, I bid you a cordial and heartfelt welcome to this Hall, in which we may almost yet hear the echo of the voices of the statesmen, the soldiers and sages of by-gone days, who have borne your name, and whose blood now flows in your veins.

We met in the month of February last, charged with the solemn duty of protecting the rights, the honor and the interests of the people of this Commonwealth. We differed for a time as to the best means of accomplishing that object; but there never was, at any moment, a shade of difference amongst us as to the great object itself; and now, Virginia having taken her position, as far as the power of this Convention extends, we stand animated by one impulse, governed by one desire and one determination, and that is that she shall be defended; and that no spot of her soil shall be polluted by the foot of an invader.

When the necessity became apparent of having a leader for our forces, all hearts and all eyes, by the impulse of an instinct which is a surer guide than reason itself, turned to the old county of Westmoreland. We knew how prolific she had been in other days, of heroes and statesmen. We knew she had given birth to the Father of His Country; to Richard Henry Lee, to Monroe, and last, though not least, to your own gallant father, and we knew well, by your own deeds, that her productive power was not yet exhausted.

Sir, we watched with the most profound and intense interest the triumphal march of the army led by General Scott, to which you were attached, from Vera Cruz to the Capital at Mexico; we read of the sanguinary conflicts and the bloodstained fields, in all of which victory perched upon our own banners; we knew of the unfading lustre that was shed upon the American arms by that campaign; and we know, also, what your modesty has always disclaimed, that no small share of the glory of those achievements was due to your valor and your military genius.

Sir, one of the proudest recollections of my life will be the honor that I yesterday had of submitting to this body the confirmation of the nomination made by the Governor of this State, of you as Commander-in-Chief of the military and naval forces of this Commonwealth. I rose to put the question, and when I asked if this body would advise and consent to that appointment,

there rushed from the hearts to the tongues of all the members, the affirmative response that told, with an emphasis that could leave no doubt of the feeling whence it emanated. I put the negative of the question for form's sake, but there was an unbroken silence.

Sir, we have, by this unanimous vote, expressed our convictions that you are, at this day, among the living citizens of Virginia, "first in war." We pray to God most fervently that you may so conduct the operations committed to your charge, that it will soon be said of you, that you are "first in peace," and when that time comes, you will have earned the still prouder distinction of being "first in the hearts of your countrymen."

I will close with one more remark.

When the Father of His Country made his last will and testament he gave his swords to his favorite nephews with an injunction that they should never be drawn from their scabbards, except in self defence, or in defence of the rights and liberties of their country, and, if drawn for the latter purpose, they should fall with them in their hands, rather than relinquish them.

Yesterday, your mother, Virginia, placed her sword in your hand upon the implied condition that we know you will keep to the letter and in spirit, that you will draw it only in her defence, and that you will fall with it in your hand rather than the object for which it was placed there, shall fail." (APPLAUSE).

Major General Lee responded as follows:

"Mr. President and Gentlemen of the Convention—Profoundly impressed with the solemnity of the occasion, for which I must say I was not prepared, I accept the position assigned me by your partiality. I would have much preferred had your choice fallen on an abler man. Trusting in Almighty God, an approving conscience, and the aid of my fellow-citizens, I devote myself to the service of my native State, in whose behalf alone, will I ever again draw my sword." (APPLAUSE).

THE SWORD OF ROBERT LEE.

Forth from its scabbard, pure and bright,
Flashed the sword of Lee!
Far in the front of the deadly fight,
High o'er the brave, in the cause of right,
Its stainless sheen, like a beacon light,
Led us to victory.

Out of the scabbard, where full long
It slumbered peacefully—
Roused from its rest by the battle-song,
Shielding the feeble, smiting the strong,
Guarding the right, avenging the wrong—
Gleamed the sword of Lee!

Forth from its scabbard, high in the air
Beneath Virginia's sky—
And they who saw it gleaming there,
And knew who bore it, knelt to swear
That where that sword led they would dare
To follow and to die.

Out of its scabbard! Never hand
Waved sword from stain as free,
Nor purer sword led braver band,
Nor braver bled for a brighter land,
Nor brighter land had a cause as grand,
Nor, cause, a chief like Lee!

Forth from its scabbard! how we prayed
That sword might victor be!
And when our triumph was delayed,
And many a heart grew sore afraid,
We still hoped on, while gleamed the blade,
Of noble Robert Lee!

Forth from its scabbard! all in vain!
Forth flashed the sword of Lee.
'Tis shrouded now in its sheath again,
It sleeps the sleep of our noble slain,
Defeated, yet without a stain,
Proudly and peacefully. —*Father Ryan.*

RECOGNITION OF VIRGINIA'S POSITION BY FORMER FOES.

PROFESSOR D. R. ANDERSON.

"When the Constitution was adopted by the votes of States at Philadelphia, and accepted by the votes of States in popular conventions, it is safe to say that there was not a man in the country from Washington and Hamilton on the one side and George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States and from which each and every State had the right peaceably to withdraw, a right which was very likely to be exercised." Lodge, Henry Cabot—"Daniel Webster". American Statesman Series, new ed., p. 172.

"The Constitution of the United States was presenting itself more and more in the light of an agreement between two incompatible sets of economic institutions, assuming to each the right freely to exist within its own limits." Wendell, Barrett—A Literary History of America, quoted in "The Brother's War" —Reed. p. 29.

"Having done so, and admitting the facts, I add as the result of much patient study and most mature reflection, that under similar conditions, I would myself have done exactly what Lee did. In fact, I do not see how I, placed as he was placed, could have done otherwise." *Lee's Centennial.* An address by Charles Francis Adams. Delivered at Lexington, Va. January 19, 1907. p. 7.

"Legally and technically—*not morally*—and wholly irrespective of humanitarian considerations—to which side did the weight of argument incline during the great debate which culminated in our Civil War? * * * If we accept the judgment of some of the more modern students and investigators of history—either wholly unprejudiced or with a distinct union bias—it would seem as if the weight of argument falls into what I will term the Confederate scale." (Charleston)

"The truth is that an irrepressible social conflict was at hand, and that both sides were as honorable as were both sides during the American Revolution, or during civil wars of England." J. C. Reed—*The Brother's War.* Quotations from Charles Francis Adams at Chicago and Charleston, 1902.

"We stabbed the South to the quick, and during all the years of reconstruction turned the dagger round in the festering wound. The spirit of war and imperialism has never yet settled any question, except the question as to which side is stronger; and now after forty years, we are beginning to learn that the negro has yet to be emancipated. If the South had been permitted to secede, slavery would have died a natural death, the Southerners would have felt that they had consented to its demise, and they would have accepted the new order with that attitude of acquiescence which is necessary to the success of any social experiment. We have still at this late day to learn the ancient lesson of Buddha: "Hatred does not cease by hatred at any time; hatred ceases by love; this is an old rule."

The wisest thing that was said by any Northerner at the outbreak of the war was the saying usually ascribed to Horace Greeley: "Let the erring sisters go." Mr. Whitelaw Reid has loyally endeavored to defend his former chief from this ascription, and he declared that Mr. Greeley never used the words. If Mr. Reid is speaking solely in the interests of historical accuracy, well and good; but if he is stretching a point to save his friend, he is doing him a doubtful service, for the final historian of the Civil War will have to record that these were the words, and the only words, of wisdom. If Mr. Gladstone echoed them in the spirit in which they were uttered, he was right and Mr. Morley should reconsider his judgment." Ernest Crosby—*The North American Review.* v. 177, p. 871.

THE ORIGIN AND MEANING OF MEMORIAL DAY.

MRS. KATE PLEASANTS MINOR.

There is no national holiday created by Congress, nor any day universally observed by order of the National Government unless it be Thanksgiving Day. Even that day, while recommended by the President, and now universally accepted by the different States, is only recommended, and not established by any *law*.

The various days made legal holidays in the different States are conspicuous illustrations of the great principle on which our government is founded, that Congress has no authority except such as is bestowed by the States. The two holidays dealing with affairs of the nation, most widely known and most deeply reverenced, are the Fourth of July and Memorial Day.

To both of these Virginians owe very special allegiance. The birthday of the Republic was proclaimed by a Congress which adopted the declaration offered by Richard Henry Lee, of Virginia, and finally prepared for ratification by that other great Virginian, Thomas Jefferson. The independence of the country was won by an army led by our greatest Virginian, save one, and it was on Virginia's soil that the final victory was achieved which made possible the United States of America.

No less intimate and important is Virginia's share in our second great day. All the Southern States may claim a share with Virginia in the inauguration of this beautiful custom, but Virginia was the battlefield and it is not unnatural that her daughters should have been the first to recognize the sacred claim of the immortal dead to their ministrations. During the summer of 1865 the ladies of Winchester, Virginia, organized a memorial association, and in the spring of the following year they began the work of reinterring the soldiers whose graves had been scattered over the fields, in abandoned church yards and elsewhere. Stonewall Cemetery was not formally dedicated until October, 1886, and meanwhile, all over the South, Memorial Associations had sprung up, having the general purpose of caring for the sol-

diers' graves, and of inaugurating a yearly pilgrimage to these sacred spots.

During the period immediately succeeding the war when there were no histories except such as were written by Northern sympathizers, the yearly gatherings at the Confederate Cemeteries were the most important opportunities given to teach the children why their fathers had fought and how they had won their right to be known as heroes.

In 1867, Mrs. Jno. A. Logan was in Richmond during the celebration of Hollywood Memorial Day, and became so impressed with the beauty of the custom, that she urged her husband, then commanding the Grand Army of the Republic, as the association of Northern Veterans is called, to make a similar celebration for the Northern Soldiers. Decoration Day was accordingly established the following year, May 30th being chosen for the Federal Day, as the Hollywood Association had, in its Constitution, appointed May 31st "or as near that day as possible," for the Confederates.

It was not until 1902 that the General Assembly of Virginia set the seal of its approval on the day long held sacred by the Hollywood Memorial Association as Memorial Day, but since that time the day observed throughout the North and that observed by statute in Virginia is May 30th.

This country has had two great wars: The first was needed to establish its existence; the second came near to creating another government, and succeeded in changing materially the principle on which the government is founded. Virginia led in both these bloody wars. In both she gave of her best and noblest sons. Both are remembered to-day by their great Virginian commanders, and the children of Virginia should learn to know Lee's soldiers, and to understand the great cause for which they fought as the world has already learned to estimate Washington, and the cause *he* represents. Both men were called rebels and their armies were called the rebel armies. Both *did* "rebel" against tyranny. Both were patriots who fought to defend their native land. Virginia children must honor them equally.

THE BONNIE BLUE FLAG.

HARRY MACARTHY.

We are a band of brothers, and native to the soil,
Fighting for our liberty, with treasure, blood, and toil;
And when our rights were threatened, the cry rose near and far,
Hurrah for the Bonnie Blue Flag that bears a Single Star!

CHORUS:

Hurrah! Hurrah! for Southern Rights, Hurrah!
Hurrah! for the Bonnie Blue Flag that bears a Single Star!

As long as the Union was faithful to her trust,
Like friends and like brethren, kind were we and just;
But now when Northern treachery attempts our rights to mar,
We hoist on high the Bonnie Blue Flag that bears a Single Star.
—Chorus.

First, gallant South Carolina made the stand;
Then came Alabama, who took her by the hand;
Next, quickly Mississippi, Georgia and Florida,
All raised on high the Bonnie Blue Flag that bears a Single Star.
—Chorus.

Ye men of valor, gather round the banner of the right,
Texas and fair Louisiana join us in the fight;
Davis, our loved President, and Stephens, statesmen rare,
Now rally round the Bonnie Blue Flag that bears a Single Star.
—Chorus.

And here's to brave Virginia, the Old Dominion State.
With the young Confederacy at length has link'd her fate;
Impelled by her example, now other States prepare,
To hoist on high the Bonnie Blue Flag that bears a Single Star.
—Chorus.

Then cheer, boys, cheer, raise the joyous shout,
For Arkansas and North Carolina now have both gone out;
And let another rousing cheer for Tennessee be given,
The Single Star of the Bonnie Blue Flag has grown to be Eleven.
—Chorus.

Then here's to our Confederacy, strong we are and brave,
Like patriots of old, we'll fight our heritage to save,
And rather than submit to shame, to die we would prefer;
So cheer for the Bonnie Blue Flag that bears a Single Star.
—Chorus.

CHORUS:

Hurrah! Hurrah! for Southern Rights Hurrah!
Hurrah' for the Bonnie Blue Flag has gained the Eleventh Star.

SUGGESTED PROGRAMME FOR SCHOOLS.

J. H. BINFORD.

1—Song by School, "*Old Black Joe.*"
2—Recitations to follow each other announced—
1. "*The Old Virginia Gentleman.*"
2. "*What Constitutes a State.*"
3—Instrumental or vocal solo, "*Suwanee River.*"
4—Virginia's Secession.

VIRGINIA'S SECESSION.

NOTE.—The States are here arranged in the order of their secession.

Characters:

South Carolina
Mississippi
Florida
Alabama
Georgia
Louisiana
Texas
Virginia
Arkansas
North Carolina
Tennessee
Centralized Government
Victory
Wealth
Worldly Honors
True Honor
Robert E. Lee

Each State should be represented by a girl wearing her name on a band worn like a sash. The other characters should also wear a sash or a belt with their name on it.

Enter to the music of the "Bonnie Blue Flag," South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana and Texas. They form a semicircle on the stage.

South Carolina: "Our fathers before us taught us that each State entering the Federal Union was a Sovereign State, and might leave the Union for good cause. Our rights have been trampled on, the Constitution violated, and we have exercised the right of withdrawal from the Union which we reserved when we entered it. A new nation and a new flag have been born. The roar of hostile cannon is heard in our land; invading armies are marching upon us—Where are our sister States—Arkansas, North Carolina, Tennessee and Virginia?"

[Enter Virginia, carrying the State flag, with eyes cast down as if in deep thought, and advancing slowly to the center of stage.]

All: "From the Potomac to the Rio Grande the South is one Country; one in blood, one in traditions, one in sentiments. All have joined the Southern Confederacy save four and one of these the greatest and best beloved of all. What will Virginia do? Will she deny her own?"

Virginia: "The first Englishmen who came to the New World settled within my borders. When the colonies were oppressed by a haughty King, it was my Jefferson who penned the Declaration, my Washington who broke the power of Great Britain, and gained our independence. I gave an empire to make the Union of States possible, and I love that Union still, for my sons have made its history glorious. But my sisters of the South now call upon me to share their fortunes. Shall I deny them? What shall I do?"

[Enter Centralized Government, Victory, Wealth and Worldly Honors.]

Centralized Government: "Choose me and the Nation."

Victory: "If you join the Confederacy, you will go down in defeat. Choose me and the Nation."

Wealth: "If you join the Confederacy, your fields will be laid waste, and poverty will be your portion: Choose me and the Nation."

Worldly Honor: "Cast your lot with the Union and your generals will lead victorious armies and your statesmen will occupy places of honor."

Virginia: "Centralized Government, Success, Wealth, Worldly Honors all urge me to remain in the Union. But I do not believe in centralized government and dearer to me than success and worldly honors and wealth is TRUE HONOR. I cast my fortune with the South. No foe shall ever cross my borders to carry war to my own kindred."

[Centralized Government, Wealth, Worldly Honors and Victory all hold out their hands in mute appeal to Virginia, who shakes her head. Then these characters retire slowly from the stage.]

Virgina: "In the time of sorrow when friends desert me and the clouds of war are hovering over my land who will remain true?"

[Enter Robert E. Lee, who comes and kneels before Virginia. Virginia takes his hand and raises him to a place beside her.]

[Enter True Honor, who takes her stand on the other side of Virginia.]

True Honor: "We are proud of what Virginia dared. We are proud of the spirit that prompted her; of her heroes who fought for her, and of the names they have left us."

[Enter Arkansas, Tennessee and North Carolina.]

Arkansas, Tennessee and North Carolina: "We too will join the Great Confederacy—there shall be no gap in the Southern ranks."

All sing Chorus of "Bonnie Blue Flag" and then form in line, Virginia leading, and march out singing.

5—Recitation "*The Sword of Lee*".
6—Song by School—"*Virginia.*"
7—Recitation—"*Bivouac of the Dead.*"
8—Song by School—"*America.*"

This Programme is arranged with the idea that the teacher will use it as a whole or in part, selecting such features as are adapted to the grade or grades participating.

"He never owned a foreign rule,
A master he would scorn;
Trained in the Revolution's school,
To Liberty was born!
And when they asked him for his oath,
He touched his war-worn blade,
And pointed to his lapel gray,
That bore the blue cockade!
Like a straight-out States' Rights gentleman,
All of the olden time."

"And when the words rang through the land,
'Coercion is to be!'
'Coercion of the FREE*?'*
That night the dreadful news was spread,
From mountains to the sea;
And our old Baron rose in might
Like a lion from his den,
And rode in haste across the hills
To join the fighting-men,
Like a staunch Virginia gentleman,
All of the olden time."

—*From "The Old Virginia Gentleman," By G. W. Bagby.*